
A Canonical Response to Intra-Christian and Inter-religious Marriages

LEWIS J. PATSAVOS

"The phenomenon of an ever-increasing number of mixed marriages between Orthodox and other Christians poses a particularly serious problem to us today. On the one hand, a homogeneous marriage is correctly seen as the ideal relationship facilitating mutual growth of the spouses in Christ. On the other hand, existentially seen, current statistics in the United States reveal fewer marital breakdowns in heterogeneous marriages. This does not mean that the Orthodox Church should now promote mixed marriages. Rather it points to an inadequacy in impressing upon those who enter into a homogeneous marriage the significance of their commitment."¹

The above quote taken from my article on intra-Christian marriages of 16 years ago (there referred to as "mixed" marriages), resounds as true today as it did then. In fact, it heightens the urgency of a phenomenon which continues to preoccupy our attention. The impetus for the investigation of the issue from a canonical perspective at that time was the ongoing discussion of marriage between Orthodox and Roman Catholics by the Orthodox-Roman Catholic Bilateral Consultation in the United States.²

Since then, there have been several other occasions at which the issue was raised for discussion and eventual resolution. These include, in 1981, the Fifth International Congress of the Society for the Law of the Eastern Churches, devoted to the themes "Mixed Marriages" and "Oikonomia";³ followed, one year later, by the Second Pan-Orthodox Pre-Synodal Con-

¹*Greek Orthodox Theological Review* 23, 3/4 (1978) 243.

²See E. Kilmartin, *Toward Reunion* (New York, 1979) 74-76.

³See "Oikonomia/Mixed Marriages," in *Kanon*, Yearbook of the Society for the Law of the Eastern Churches, 6 (Vienna, 1983).

ference, at which recommendations regarding marriages with non-Orthodox and non-Christians were made.⁴ In March 1992, the conference sponsored by our faculty commemorating the 1300th anniversary of the Penthekti Ecumenical Council included the topic "Marriage between Orthodox and Non-Orthodox."⁵ Finally, the matter was raised as an issue requiring the Church's careful attention at the recently convened historic meeting of the hierarchy of the Ecumenical Patriarchate in August 1992. The present conference is the result of that meeting.

CANONICAL AND THEOLOGICAL REASONS FOR HOMOGENEOUS MARRIAGE

Given the ongoing preoccupation with intra-Christian and inter-religious marriages on both an academic and ecclesiastical level, it remains for us to examine why such marriages have been canonically prohibited. Five canons, in varying degrees of intensity, prohibit the marriage of an Orthodox with a non-Orthodox. Of the five, the normative 72nd canon of the Council "in Trullo" stems from an ecumenical council, thereby elevating it in the consciousness of the Church to the highest level of authority. The significance of this fact warrants its reproduction, even in part:

*"An orthodox man is not permitted to marry an heretical woman, nor an orthodox woman to wed an heretical man. And if anything of this sort should appear to have been done by anyone at all, the marriage is to be considered null, and the unlawful wedlock is to be dissolved. For it behooves not to mingle together the things that ought not to be mingled, nor is it right that the wolf be joined with the sheep, nor the lot of sinners with the portion of Christ. But if anyone shall transgress what we have decreed, let him be excommunicated."*⁶

It will not be my purpose here to enter into a canonical investigation of the ways in which this canon has been interpreted historically. This has been done amply already.⁷ Rather, I should like to highlight for our consid-

⁴See *Towards the Great Council* "Introductory Reports of the Inter-Orthodox Commission in Preparation for the Next Great and Holy Council of the Orthodox Church" (London, 1972).

⁵*Greek Orthodox Theological Review* 40, 1/2 (1995) 229-46.

⁶Translation taken from J. Cavarinos, Unpublished manuscript of the canons of the ecumenical councils translated in current English usage.

⁷Patsavos, 249-6; see also P. Viscuso, "Marriage between Orthodox and Non-Orthodox: A Canonical Study," paper delivered at the 1992 conference

eration those aspects of the canon which point to its theological expression.

To do this, one must return again to what was written earlier⁸ and pose the question raised then: What makes a marriage truly Christian? The only response possible is the transformation of the lives of the spouses to conform to the scriptural teaching about marriage. In his epistle to the Ephesians (5:21–32), St. Paul likens the relationship of the spouses in marriage to that of Christ to His Church. Such a spiritual image and goal, however, presuppose the mutual sharing of all aspects of the same faith - especially of the central act of worship, the eucharist - towards achieving the goal of spiritual maturity together.

One might ask further: Is it possible to become “one body” in Christ in order to achieve the above goal if commitment to the same faith is lacking? Unity of faith has always been the presupposition for marriage blessed within the Orthodox Church. The liturgical expression of this unity, which is at the same time its fullest expression, is participation in the eucharist. The mystery of the eucharist is the ultimate expression of our union with Christ. It is what makes the two spouses members of the body of Christ. It is what gives to marriage its specifically Christian character. It is in the eucharist that marriage finds its fulfillment.

Herein lies the canonical anomaly presented by marriage with non-Orthodox, both Christians and non-Christians. Non-Orthodox are not and cannot be admitted to eucharistic communion. The reason is apparent. Participation in the eucharist signifies oneness of faith. Because of the central place of the eucharist in the life of the faithful, however, a marriage in which participation in this mystery is lacking immediately poses a problem. In the early Church when a Christian marriage was blessed within the context of the eucharistic liturgy, marriage with one not of the same faith would have been a contradiction in terms. It was not until the marriage ceremony was removed from this central act of worship that a Christian marriage between an Orthodox and a non-Orthodox was even possible.⁹

commemorating the 1300th anniversary of the Penthekti Ecumenical Council and submitted for publication.

⁸Patsavos, 243–4.

⁹See J. Meyendorff, *Marriage: An Orthodox Perspective* (Crestwood, New York, 1970) 38–42. For an investigation of the historical context within which the rite of crowning evolved, see A. Smirensky, “The Evolution of the Present Rite of Matrimony and Parallel Canonical Developments,” *St. Vladimir’s Seminary Quarterly* 8 (1964) 38–48.

Returning to the normative 72nd canon of the Council in Trullo, one observes the following: not only does it prohibit marriage with one not of the same faith, but it also insists upon its dissolution in the event it had nevertheless taken place. From the fourth century on, church law strictly prohibited the marriage of an Orthodox Christian with a Jew, pagan, or heretic. In keeping with the teaching of St. Paul in 1 Cor. 7:12-14, however, it tolerated those marriages which might have occurred prior to the conversion of one of the spouses to the Christian faith.¹⁰

APPLICABILITY OF PROHIBITIVE CANONS

At this point, one might ask how applicable the traditional, prohibitive canons regarding marriage with the non-Orthodox really are. Writing on intra-Christian marriages over 60 years ago, the well known Greek canonist Hamilcar Alivizatos asserted that our views on this subject must not be conditioned by ecclesiastical bias. Although this may have been understandable in the past, our criteria in the present must be determined differently.¹¹

Furthermore, upon a closer examination of these prohibitive canons, and specifically the 72nd of the Council in Trullo, the response to a key consideration must be given. Do they prohibit marriage with the heterodox belonging to heresies existing up to the time of the Council in Trullo, or do they include all heterodox up to the present?¹² In his canonical study on "Intercommunion with the Heterodox," Jerome Cotsonis supports the view that the intention of canon 72 is to include all heterodox before and after Trullo.¹³

Additionally, the acclaimed canonist Joseph Zhishman holds the opinion that the word "heretic" used in canon 72 of Trullo speaks about the same heretics referred to in other related canons.¹⁴ As such, it does not include schismatics. By prohibiting the marriage of Orthodox with heretics and heterodoxs, canon 72 of Trullo, in fact, equates the latter to pagans and Jews, since baptism is required of all three upon their entry into the Orthodox faith. Also, according to the interpretation of the Byzantine com-

¹⁰Cf. Chr. Papadopoulos, "Περί Μικτῶν Γάμων," *Ekklesia* (1932) 147.

¹¹See H. Alivizatos, "Περί Μικτῶν Γάμων," *Ekklesiastikos Pharos* (1932) 436-7.

¹²Patsavos, 245.

¹³See J. Cotsonis, *Ἡ Κανονική Ἀποψις περὶ τῆς Ἐπικοινωνίας μετὰ τῶν Ἑτεροδόξων* (Athens, 1957) 223.

¹⁴Canons 10 and 31 of Laodicea, 21 of Carthage, and 14 of Chalcedon.

mentators Zonaras and Balsamon, a heretic (like pagans and Jews) is a non-believer. Consequently, if in an intra-Christian marriage one of the spouses is a schismatic, that party cannot be subject to this canon.¹⁵ This, in fact, is how the Church has applied the canon when granting permission for the marriage of an Orthodox with a non-Orthodox.¹⁶

Historically, the position of the Ecumenical Patriarchate on intra-Christian marriages has changed noticeably from a strict application of the prohibitive canons in earlier centuries to a broad application of economy in the last, and especially the present, century. As we have seen, marriages with heretics and non Orthodox were considered non-existent. However, deviations from the prescribed mandate began very early. After the fall of Constantinople, it was not unknown for marriages to take place not only between Orthodox and non-Orthodox Christians, but also between Orthodox Christians and Muslims. Although the Church did not recognize the latter marriages, she tolerated marriages with non-Orthodox Christians “by economy,” providing they were performed with the blessing of an Orthodox priest.¹⁷

In the early 19th century, a patriarchal decree was issued reinforcing the original practice which prohibited marriages with non-Orthodox Christians, although such marriages continued to take place secretly. This led to a subsequent decision recommending that these marriages not all be dissolved by force, but on an individual basis. Eventually, what in theory was prohibited (intra-Christian marriages), began in practice to be tolerated “by economy.” The predisposition reflected in the canonical decisions of the Patriarchate prohibiting intra-Christian marriages continued unabated until the latter half of the last century. It was then that permission was officially granted for marriages with non-Orthodox Christians to take place, provided—once again—they are blessed by Orthodox clergy.¹⁸

From that time, the policy of most Orthodox Churches was to permit intra-Christian marriages under the following conditions:

- 1) they must be performed by an Orthodox priest;
- 2) children born of them must be baptized and nurtured in the Orthodox faith;

¹⁵See J. Zhishman, *Τό Δίκαιον τοῦ Γάμου τῆς Ἀνατολικῆς Ἐκκλησίας* 2 (Athens, 1913) 289.

¹⁶Patsavos, 245.

¹⁷Papadopoulos, 147.

¹⁸Papadopoulos, 147.

3) marital problems which might arise must come under the jurisdiction of the Orthodox Church.¹⁹

REASONS FOR CONCILIATORY APPROACH TO INTRA-CHRISTIAN MARRIAGES

As for the reasons which prompted the Church officially to assume a conciliatory approach with regard to intra-Christian marriages, one must first mention concern for the spiritual well being of the spouses. On the other hand, one cannot deny the need created by the difficult circumstances confronted by the Church in traditionally Orthodox lands which had come under Latin domination. Had the Church remained intransigent in her stand towards intra-Christian marriages, she would most certainly have lost many of her faithful to heterodoxy. Because of her farsightedness, however, the exact opposite occurred. Christians from the West - mainly Roman Catholics - who married Orthodox Christians in the Orthodox Church, were absorbed into Orthodoxy in great numbers. It was due, therefore, to pastoral sensitivity and prudent responsibility that the Church began to bless those marriages "by economy" which she earlier prohibited "by exactness."²⁰

The same characteristics of pastoral sensitivity and prudent responsibility are what allow the Church today to tolerate the ever-increasing number of intra-Christian marriages, especially in the so-called "diaspora." From the canonical and theological reasons expounded earlier, it is clear that the ideal should always be upheld whenever possible. No one can deny that religious homogeneity when both spouses are committed Orthodox Christians will almost certainly assure the perpetuation of the Orthodox faith. History has already attested to this. But what about marriages between spouses who are only nominal Orthodox Christians? Does the fact that they share the same faith alone assure the perpetuation of Orthodoxy and the reflection in their marriage of God's kingdom on earth? Again, history and statistics prove otherwise.²¹

This latter question is raised in an attempt to stress the good that might come from an intra-Christian marriage. There are countless examples of such marriages, which embody all the virtues prayed for in the rite of marriage. There is also the expectation—at least in theory—that the

¹⁹Papadopoulos, 148.

²⁰Cotsonis, 234-5.

²¹Meyendorff, 40.

non-Orthodox spouse may eventually wish to embrace the Orthodox faith. This, in fact, was the reason that the Church originally granted permission for intra-Christian marriages to take place at all.

This is not to say that intra-Christian marriages should be encouraged, but that their hindrance has always been utopian. This is especially true nowadays, in an age of instant communication, mobility and contacts among individuals and communities. In the words of the Agreed Statement on Mixed Marriages adopted by the Orthodox-Roman Catholic Bilateral Consultation in the United States: "We recognize the practical difficulties which couples continue to face when they enter a mixed marriage as long as their churches are divided on matters of doctrine and styles of Christian life. Because of these difficulties both of our churches discourage mixed marriages. We recognize that under the conditions of modern life these mixed marriages will continue to take place. For this reason counseling of couples entering such unions by pastors of both churches is imperative."²²

HISTORICAL FACTS REGARDING CHRISTIAN MARRIAGE

Despite the above proclamation, intra-Christian marriages are here to stay.²³ As we stand on the threshold of the third millennium, what ought the Church's attitude toward them be? Before attempting to respond to this question, it is first necessary to remind ourselves of the following important historical facts. The issue of marriage from a doctrinal and sacramental perspective did not preoccupy the Church at the very beginning. This helps explain why until recently an Orthodox theology of marriage has remained relatively undeveloped.²⁴ Furthermore, the institution of a sacramental rite

²²Text in Kilmartin, 74-75.

²³In the "Report to His Eminence Archbishop Iakovos: Archdiocesan Theological Agenda" *Greek Orthodox Theological Review* 34, 3 (1989) 302, the following prediction is strongly asserted: "Without frontal recognition of the increasing likelihood of intermarriage, there can be no long-term answer to the viability of the Greek Orthodox Church in this country."

²⁴This is no longer the case. In our own time, a plethora of studies devoted entirely or in part to a contemporary Orthodox theology of marriage has appeared. Among them are the contributions of J. Meyendorff, *Marriage: An Orthodox Perspective* (Crestwood, New York, 1970); D. Constantelos, *Marriage, Sexuality and Celibacy- A Greek Orthodox Perspective* (Minneapolis, 1975); T. Stylianopoulos, "Towards a Theology of Marriage," *Greek Orthodox Theological Review* 34, 4 (1989) 335-46; and A. Stavropoulos, *Pastoral Preparation for Marriage (Preparation for Love)*, (Doctoral dissertation in Greek), (Athens, 1971).

of blessing for marriage was a later development. As a result, in the primitive Church, marriages between Christians and non believers were tolerated so long as the civil laws regarding marriage were upheld.

With the appearance of Christianity, marriages between Christians and non believers was an obvious fact. Initially, the new faith was not immediately accepted in many families by all; neither had Christian exclusivism yet begun to surface. Especially with regard to pagans, this tolerance was in all probability due to the influence of St. Paul, as reflected in 1 Cor. 7. 12-17.²⁵ And although it may be true that later sources clearly speak out against inter-faith marriages, it is equally true that other sources of the same period indicate their neutrality on the matter.

Subsequent to the appearance of the early heresies in the sub-apostolic period and later, it was natural for the issue of heterogeneous marriages between Orthodox Christians and heretics to be raised. However, even then, the position taken by the Church, as evidenced in most of the related canons, was relatively lenient. With the exception of canon 72 of Trullo, which appeared in the late seventh century, the earlier canons 10 and 31 of Laodicea, 21 of Carthage, and 14 of Chalcedon do not speak of the dissolution of heterogeneous marriages once they had taken place. Of these, two—canons 21 of Carthage and 14 of Chalcedon—refer exclusively to clerics or their children.

Matters changed for the Church with the introduction of the sacramental rite of blessing for marriage in the ninth century. And although it may be true, prohibitive decrees notwithstanding, that instances of the earlier practice continued to take place, the inclusion of marriage among the mysteries of the Church brought with it a drastic change. Consequently, no longer can marriage be considered apart from its sacramental basis.

THE CURRENT DILEMMA

A. Intra-Christian Marriages

This brings us to our current dilemma. Marriages between Orthodox and other trinitarian Christians blessed in the Orthodox Church are per-

²⁵"If any brother has a wife who is an unbeliever, and she consents to live with him, he should not divorce her. If any woman has a husband who is an unbeliever, and he consents to live with her, she should not divorce him. For the unbelieving husband is consecrated through his wife, and the unbelieving wife is consecrated through her husband.... Only, let every one lead the life which the Lord has assigned to him, and in which God has called him" (Revised Standard Version).

mitted "by economy." Taken at face value, this is a profound fact. It is the only instance in the practice of our Church in which an act of sacramental intercommunion with a member of a non-Orthodox Church is permitted. What of those marriages performed outside the Orthodox Church? How ought they to be dealt with?

In the same writing referred to earlier,²⁶ Hamilcar Alivisatos stresses that the matter must be examined from a purely Orthodox sacramental perspective. Before proceeding to make his case, he reminds us that the early Church was remarkably tolerant in the way she looked upon the sacraments of some heretics.²⁷ The canonical basis of her favorable predisposition remains inviolate up to the present. Unfortunately, it was the later actions of certain heterodox to undermine Orthodoxy that prompted the Church at times to withhold recognition of their sacraments. At other times, in the absence of such actions, their sacraments were recognized "by economy."

Alivisatos continues: "Since marriage is a mystery, and the Orthodox Church recognizes in theory and practice the sacraments of some heterodox Churches under certain conditions, it is not possible to withhold recognition of their marriage when the necessary conditions have been met."²⁸ Conditions deemed necessary are the following: 1) acceptance by these Churches of the dogmatic teaching regarding the sacrament of marriage as does our Church; and 2) celebration of the sacrament by a canonically ordained minister, whose priesthood rests upon the same dogmatic understanding of ordination as does ours.²⁹

The current practice of some Orthodox in our country follows similar guidelines.³⁰ An intra-Christian marriage involving an Orthodox spouse blessed outside the Orthodox Church is considered a violation of canonical discipline, not necessarily an empty form without substance. As such, restoration to communion of the Orthodox partner necessitates an act of contrition, not a celebration of the marriage rite as if there had never been a marriage. The act of contrition ordinarily takes place within the context

²⁶Alivisatos, "Περί Μικτῶν Γάμων."

²⁷Note especially canons 7 of Constantinople (I) and 95 of Trullo.

²⁸Alivisatos, 437-8.

²⁹Alivisatos, 438.

³⁰See, for example, the "Encyclical of the Holy Synod of Bishops of the Orthodox Church in America on Marriage" and attendant "Pastoral Guidelines on Holy Matrimony" (no date), as well as the text of the "Service of Blessing in Sacramental Confirmation of a Marriage Entered into outside the Orthodox Church."

of penance, following which there is a blessing of the marriage. This is the practice reserved for those who seek re-entry into the communion of the Orthodox Church. For all others, one's self-inflicted excommunication remains in effect.

This practice of "sacramentally confirming" the marriage of an Orthodox and a non-Orthodox trinitarian Christian blessed outside the Orthodox Church is based on the premise that there has indeed been a marriage. The practice is in contrast to that of the Greek Orthodox Archdiocese, which requires the performance of the Orthodox marriage rite. The premise referred to sees the order of creation as the foundation of marriage. In the words of the New Testament, in which reference is also made to the words of the Old Testament: "But from the beginning of creation, 'God made them male and female.' For this reason a man shall leave his father and mother and be joined to his wife, and the two shall become one.' So they are no longer two but one" (Mk. 10.6-9).³¹

Accordingly, God established marriage as a perpetual union of male and female in mutual love and fidelity. From this perspective, the institution of marriage as a sacrament did not begin with the Christian revelation, but existed from the very beginning of created order. Furthermore, its essential element is marital consent, through which the spouses participate in a life of total openness to each other, a life of self-giving and of sharing, thereby realizing the composite wholeness of human nature.³²

B. Inter-religious Marriages

Given this understanding of marriage, the question must then be raised concerning the status of inter-religious marriage as well. Is not the purpose of marriage, as reflected above, also to be found in the marital union of an Orthodox Christian and an unbaptized spouse? If so, how ought the Orthodox Christian married to an unbaptized spouse outside the Church be restored to communion? The matter is not simple; however, it ought not to be impossible.

Returning to what was said earlier in this paper about the theological rationale for homogeneity in a marital relationship, it is not difficult to understand why the Church has ideally sought to promote this policy. She ought to continue to do so whenever possible. However, what ought to be

³¹See also Mt. 19:9-6. Cf. Gen. 1:27 and 2:24.

³²Constantelos, 22-24.

the policy towards those who for whatever reason marry outside the Orthodox Church and then seek to be restored to communion?

It has already been made quite clear that in the primitive Church marriages involving Christians and non believers took place according to the laws of the state. Marriages between Christians had also to satisfy the same laws. What distinguished the latter from the former, however, was the episcopal blessing which preceded them,³³ as well as their subsequent blessing within an ecclesial context. Later in the post-Constantinian era, when the Church insisted upon marriage only between Orthodox Christians, instances of heterogeneous marriage still continued to take place in practice. So long as the laws of the state determined the affairs of marriage, this was inevitable. What is noteworthy here is that despite the Church's disapproval of heterogeneous marriage, the Orthodox Christian spouse in such a marriage was not necessarily deprived of communion.³⁴ It was not until the edict of Leo VI relegated exclusive authority in matters of marriage to the Church in the ninth century that this changed.

What can be done to address the status of those involved in a heterogeneous marriage today? An attempt at resolving this vexing problem has already been taken by the second Pan-Orthodox Pre-Synodal Conference which met in Chambésy, Switzerland from September 3-12, 1982. With regard to marriages involving Orthodox and non-Orthodox Christians, it recognized the current divergencies in viewpoint and practice among several of the autocephalous Churches. It therefore determined to permit some latitude for reaching a resolution on the basis of local situations. This necessarily requires a better understanding of the Christian doctrine of non-Orthodox Churches and an assessment of their present circumstances. Ultimately, it is hoped that ecclesiological distinctions can thereby be made among the various Christians who are not Orthodox. As for marriages involving Orthodox and non-believers, the decision reached called for ways and means of applying economy to be studied in this matter. Until then, it should be left to each autocephalous Church to determine whether the current situation there warranted the application of economy. What is remarkable here is that even conceiving of the application of economy in these situations raises the question of possible change.

³³Evidence of the importance attached to the episcopal blessing is to be found at least as early as the 2nd century. Meyendorff, 24-25; see also Constantelos, 44-45.

³⁴Alivisatos, 435-6; see also Constantelos, 49.

CONCLUSIONS

It is clear that any canonical adjustments which might be made with regard to heterogeneous marriage must distinguish between intra-Christian and inter-religious marriages. Since some Orthodox already recognize a Christian marriage blessed outside the Orthodox Church without remarriage under certain conditions, a similar procedure might also be introduced generally. Conditions should include: 1) a desire on the part of the Orthodox partner to be reconciled to the Orthodox Church through an act of penance; 2) the performance of the marriage initially in a Church which recognizes marriage as a sacrament. A service of blessing, not the marriage rite, should seal the recognition of the marriage. Intra-Christian marriages which do not meet these conditions necessitate the Orthodox rite of marriage to be performed as the prerequisite for reconciliation.

Inter-religious marriages are of a different order. In the absence of reference to the Trinitarian God, who as author of the institution of marriage is invoked to bless and sanctify it, recognition of marriage as a sacrament under any condition is not possible. This, however, ought not necessarily to preclude in every instance an eventual restoration to communion of the Orthodox spouse engaged in such a marriage. Where a marital relationship based on the order of creation can be identified as opposed to a relationship of mutual convenience, restoration should be considered when preceded by an act of penance. To withhold communion is to place an obstacle in the way of the unbelieving spouse's possible sanctification through the believing spouse.³⁵ Furthermore, it is to prevent the believing spouse from growing spiritually.

Although a departure from traditional practice, the above proposals are offered as a way of dealing with the ever increasing phenomenon of heterogeneous marriage in our society today. Nevertheless, as a matter of principle, not every effort to recognize a heterogeneous marriage or restore to communion one married outside the Church ought to be automatic. Not all relationships labeled marriage can be recognized as such by the Church. At the same time, neither ought every effort to take place without a corresponding waiting period. The canonical practice of imposing a waiting period as an act of penance before a subsequent marriage should serve as an example. It is eloquent proof enough of the pastoral benefit gained by preparing oneself gradually before any important event in one's spiritual life. Certainly, one's reconciliation with the Church is adequate cause for such a canonical procedure.

³⁵See 1 Cor. 7:14 and canon 72 of Trullo.

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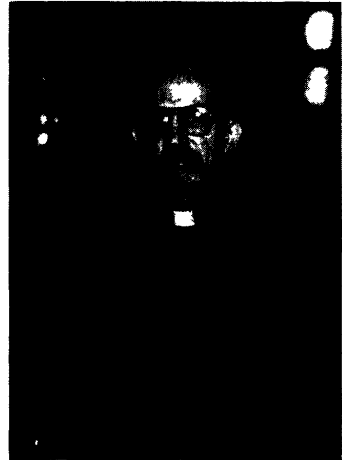
A Tribute to
Rev. Nomikos Michael Vaporis, Ph.D.
Editor of *The Greek Orthodox Theological*
***Review* from 1972 to 1995**

The Rev. Dr. Nomikos Michael Vaporis joined the Faculty of Holy Cross Greek Orthodox School of Theology in 1965 as Instructor in the history of the Ecumenical Patriarchate of Constantinople and he continues to serve the institution as tenured Professor in the field of history.

Among his many notable contributions is his service as Editor of *The Greek Orthodox Theological Review* for a longer period than any other Editor of this journal. He followed a series of respected scholars who served Holy Cross Greek Orthodox School of Theology in this capacity. The founding Editor was the

Rev. Dr. Nikon Patrinos, beginning in August of 1954. He was followed in 1956 by the then Dean, the Rt. Rev. Bishop Athenagoras Kokkinakis, who was succeeded by the Rev. Dr. John S. Romanides in 1959. The editorship was assumed by the Rev. Dr. Leonidas Contos in 1966, who was succeeded by the Rev. Dr. Demetrios J. Constantelos, as Editor in 1967. The longest tenure of these Editors was seven years.

The Rev. N. Michael Vaporis was appointed a member of the editorial board of the journal in 1966 and began his tenure as Acting Editor with



Volume 17, Number 1, the Spring Issue for 1972, which presented the papers of an historic event, the First International Theological Conference of Orthodox Theologians in America (September 7-11, 1970). He assumed full editorship of *The Greek Orthodox Theological Review* with that year's second number.

Twenty-three years later, with Volume 40, Numbers 1-2 of 1995, he completed his distinguished service as Editor of *The Greek Orthodox Theological Review*. That issue was similar to the first which he edited in that it consisted of papers presented at a conference sponsored by Holy Cross Greek Orthodox School of Theology on the occasion of the 1300th anniversary of the Council "in Trullo."

Even though he served as Editor for twenty-three years, his accomplishments are by no means limited to longevity. In 1976, he expanded the journal from a biannual to a quarterly periodical. Under his direction, the journal has developed a world-wide audience of scholarly readers and contributors, well beyond Orthodox or Greek circles. His scholarship in historical studies with degrees from Youngstown College (now Youngstown University), Holy Cross Greek Orthodox School of Theology, the University of Athens, and Columbia University (M.A., Ph.D.), in addition to studies at Simmons College and the University of Pittsburgh, together with his love for Greek Orthodoxy eminently qualified him to serve as Editor of the journal.

Orthodox Theology and Holy Cross Greek Orthodox School of Theology will remain forever in his debt for his commitment and devotion as the Editor of *The Greek Orthodox Theological Review*.

Rev. Dr. Stanley S. Harakas

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Concerning the Second Marriage of Priests

PATRICK VISCUSO

This study will examine the question of whether the second marriage of a priest can be permitted within the Orthodox church, with particular reference to the legislation of the Council in Trullo. An attempt will be made to suggest a methodology for further inquiry concerning the legislation and the issue.

Canonical Legislation

No one can debate that the Orthodox church's formal canonical legislation is opposed to marriage after ordination to all ranks above chanter; ordination of digamists, i.e., those who have married twice; and second marriage of clergy. The third and sixth canons legislated by the Ecumenical Synod in Trullo prohibited these actions from taking place throughout the Universal Church.

At present, among the clergy only readers and chanters are allowed to marry. Clergy above the rank of chanter must marry prior to their ordination, or make a formal declaration of celibacy for life. In accordance with the *Nomokanon* attributed to the Patriarch Photios (c. 810–c. 895), "Let the one who is ordaining a celibate ask him, if he is able to live chastely without a legal wife."¹ Subdeacons, deacons, and presbyters who marry after entering their clerical rank are "expelled," and the bishop that permitted the marriage is deposed.²

Nevertheless, in apparent contradiction to this legislation, according to

¹ *Photian Nomokanon*, 9.29, G. A. Rhalles and M. Potles, *Σύνταγμα τῶν θείων καὶ ἱερῶν κανόνων*, 1.212; *Basiliika* 3. 1. 11, H. J. Scheltema and N. van der Wal, eds., *Basilicorum Libri LX*, (Groningen, 1962), A1: 86.

² *Ibid.* Holy Apostles 26, Carthage 16, Neocaesarea 1, Trullo 6.

the seventy-ninth novel of the Byzantine Emperor Leo VI (886–912) the Wise:

We do not accept the viewpoint of the ancient legislation, according to which a presbyter, deacon, or subdeacon, who joined himself with a woman after ordination to clerical rank, was entirely deprived of the clerical *schema*,³ and was returned to lay life. But we nullify this regulation, and decree that exclusion pure and simple from the rank which they had before marriage, to be sufficient punishment for them. However, they are not at all to be punished with deprivation of the clerical *schema* and other service in the churches, of which it is not illicit for them to partake.⁴

The late Byzantine canonist Matthew Blastares (ca. 1335) in attempting to resolve the inconsistency between this legislation and canons expelling such clergy interpreted the seventy-ninth novel as referring to “digamists,” i.e., clergy who remarried after ordination.⁵ It is interesting to note that other legislation of Leo VI outlawed on the basis of the “ancient legislation” an unwritten “custom” of allowing “those ordained to the priesthood” to marry within a two-year period after declaring their intention prior to receiving orders.⁶ This custom bears strong resemblance to the practice allowed by the tenth canon of the Synod in Ancyra (314) that permitted deacons to marry if such intentions were declared prior to ordination.

According to canonical legislation, if a second marriage takes place after baptism, it disqualifies a candidate from entrance into any rank of the clergy.⁷ However, the Byzantine commentator John Zonaras (twelfth century) stated that if a candidate married a second time or fell into fornication before “the divine bath,” after baptism “no further sacrifice for sins remains, so even priesthood can be bestowed.”⁸ On the other hand, whether divorced or widowed if a wife has been married before, her husband may

³ The Greek word (form, figure, shape) can be used to denote the outward appearance of a person and his or her status in life. Thus, in the case of clergymen, it can mean either clerical dress or clerical rank.

⁴ Leo IV, *Novel 3*, P. Noailles and A. Dain, eds. and trans., *Les Nouvelles de Leon VI le Sage* (Paris, 1944), 273.

⁵ Rhallès and Potlès, 6: 156.

⁶ Leo VI, *Novel 79*, Noailles, 18 - 21; cf. the commentary of Byzantine canonist Theodore Balsamon (c. 1140 - c. 1195) on Ancyra 10, Rhallès and Potlès, 3: 41.

⁷ Holy Apostles 17; Basil 12; Trullo 3.

⁸ See his commentary on canon seventeen of the Holy Apostles, Rhallès and Potlès, 2: 23.

not be ordained. This prohibition includes women "that are not believed to be chaste by living in an unseemly manner," e.g., prostitutes, servants, or "one of those in the theater."⁹ The candidate must be "the husband of one chaste and virgin woman."¹⁰

The Nature of the Question

A danger in studying the question of the second marriage of priests is to move beyond the presentation of the canonical tradition and attempt the definition of dogma. In this regard, two points are sometimes assumed to be the doctrinal viewpoint of the Orthodox church on the mystery of matrimony; that marriage is a eucharistic mystery, and that marriage is an eternal bond of love.

Nevertheless, these two points are not the doctrine of the Orthodox church. Rather, they are theological opinions held on the basis of scholarship, but not mandatory beliefs of the Orthodox faith nor have they been. On the contrary, there are canonical Orthodox bishops currently teaching that marriage is established not by the mutual participation in the Eucharist, but by sacerdotal blessing; and that death brings an end to the marital bond. An Orthodox believer is free to express views in agreement or contrary.¹¹

⁹ Holy Apostles 18; Trullo 3; cf the commentary of Zonaras and Balsamon on Holy Apostles 18, Rhalles and Potles, 2: 26, whose comments form the basis for that of Blastares, from whom the quotes are taken, Rhalles and Potles, 6: 155.

¹⁰ Matthew Blastares, *Alphabetical Collection*, Rhalles and Potles, 6: 156; I Timothy 3: 2; Justinian, *Novel 123*. 1.

¹¹ For scholarship defending the position that in Byzantium marriage was formed by sacerdotal blessing and not the Eucharist; and that digamous spouses were regarded as having the potential to be on the same level of worthiness as the first married, see Patrick Viscuso, "The Formation of Marriage in Late Byzantium," *St. Vladimir's Theological Quarterly*, 35 (1991) 309–25. It is dangerous to view the penancing of a second marriage as simply a theological statement in support of the indissoluble character of the first union. Such views often fail to consider a strong trend in Byzantine and patristic thought that any marriage, first or otherwise, was considered to be on a lower spiritual level than celibacy; that marriage was considered a confinement of sexual energy and remedy for fornication; that marital sexual relations were thought to be unchaste and to prevent reception of Communion on the part of laity and clergy; and that in this context, second and third unions were viewed as sexual indulgence and as concessions to the flesh. For a brief exploration of such issues in later Byzantine thought, see Patrick Viscuso, "Purity and Sexual Defilement in Late Byzantine Theology," *Orientalia Christiana Periodica*, 57 (1991) 399–408.

One of the dangers in enshrining these theological opinions as the dogmatic basis of past canon law is to view, for example, the legislation of Trullo that forbade second marriages of priests, as based on a supposed doctrinal nature of matrimony which mandates an ideal of eternal and absolute monogamy and prohibits a second union for those who must teach by their pastoral lives.

The problem with this conclusion is that it fails to place the canons of Trullo within their historical and cultural context. In order to achieve an accurate understanding of the intent of these canons, it would be more helpful to examine the contemporary setting of the legislation, for example: Hellenistic medical science and physiology; patristic views on sex, nuptial relations, and the body; general perspectives on women in marriage from the standpoint of the clergy and the significant theological figures of the early Byzantine period; the ancient church's variances in liturgical and canonical discipline regarding marriage of clergy; and the place of the Eucharist in penitential legislation, especially on the relevant point of digamy.

Might one suggest, for example, that the Church's canonical legislation on sexual matters was highly conditioned by prevailing cultural assumptions concerning purity and defilement?¹² Could the priest have been forbidden a second marriage because such a union was regarded as a sign of incontinence, not suited to those who were regarded as mediators between the worldly laity and the Divine? Were St. Paul's writings concerning the qualifications of candidates for ordination truly the basis for the legislation under discussion or were certain ascetical trends in early Byzantine thought actually the motivating factors? In fact, were the relevant Scriptural passages examples of advice or were they mandatory commandments?

Obviously, one might debate the point that by prohibiting a married episcopate through canon twelve of Trullo, the Church apparently violated Saint Paul's idea in 1 Timothy 3.2 that the bishop should be the "husband of one wife." Several Byzantine canonists commented that the Apostolic injunction was not being violated because, simply put, matrimony was not being prohibited by the canon, but rather, better things or greater chastity than marriage was being legislated.¹³

Added to this, is the fact that the qualification, "husband of one wife," has several interpretations in patristic thought including the notion that it

¹² For an exploration of this question in late Byzantine thought, see Viscuso, "Purity and Sexual Defilement."

¹³ For example, see the commentaries of John Zonaras and Theodore Balsamon on Trullo 12, Rhallés and Potles, 2: 331-333.

represents a prohibition on contemporaneous polygamy, but not successive digamy.¹⁴ The very fact that legislation is repeatedly decreed by Empire and Church prohibiting marriage after ordination and second marriage of clergy; and that there was official canon law allowing marriage after what we term as major orders, are strong witnesses that the practice of the Church varied according to time and place, and that the Church in the Eastern and Western Roman world was not a monolith.

Were these other traditions dictated by heretical beliefs concerning marriage and the Christian priesthood? What was, for example, the historical and theological basis of Ankyra 10 that permitted the marriage of deacons after ordination? What of those Fathers of the Church and ancient Christian writers who defended the marriage of the widowed? These are examples of questions which might be asked and explored.

Modern Discussion of the Issue

One of the focuses of present debate on this question concerns the movement for second marriage of widowed priests in Serbia during the early twentieth century. It would be a mistake to believe that the issue was initially raised by losses of spouses sustained by Serbian priests during the First World War. In fact, the movement developed before World War I and found some of its roots within theological circles in Russia. From Russia, the discussion moved to Bulgaria, Rumania, and Serbia.¹⁵

Prior to 1910, in the metropolitanate of Karlowitz, a union of Serbian clergy formed to promote second marriage of widowed clerics. In this metropolitanate, nearly all of the 640 Orthodox presbyters, 155 of whom were widowers, directed a petition to the Synod of Hierarchs at Karlowitz requesting removal of the prohibition on second marriage of widowed clergy. After much discussion, by a decision of the synod Lucian the Archbishop of Karlowitz wrote to His All Holiness the Ecumenical Patriarch Joachim III on May 1, 1910 inquiring after the opinion of the Great Church before proceeding to action on the question. The request was put under study by a preparatory committee constituted of professors from the theological school of Chalke. Much discussion also was pursued amongst the autocephalous churches on the basis of letters of inquiry sent out from Constantinople.

¹⁴This opinion is mentioned by Saints John Chrysostom, *Homily 10 on 1 Timothy* 3:2; and Jerome, *Commentary on Titus* 1:6. For other interpretations, see Chr. Knetes, "Ordination and Marriage in the Eastern Orthodox Church," *The Journal of Theological Studies*, 11 (1910) 366-75.

¹⁵For valuable background information, see Gregory Papamichael, "Περί τοῦ δευτέρου γάμου τῶν κληρικῶν," *Ἐκκλησιαστικός Φάρος*, 1 (1908) 485-92.

Major theological writers published on the subject in connection with these discussions, including the canonical authority Bishop Nikodim Milash of Zara, and the professor of canon law at Chalke the Archimandrite Demetrios Georgiades, both of whom were in favour of the second marriage of widowed clergy.¹⁶ In fact, during the period in question, there was an extensive theological literature dealing with this subject that included patristic, canonical, and theological studies which reached conclusions permitting such marriages.¹⁷

In general the main points articulated by those in favour of allowing marriage after ordination and second marriage of widowed clergy may be summarized as follows: 1.) Based on their examination of the canonical, theological, and historical evidence, the prohibition of marriage after ordination was considered the result of historical circumstance rather than dogma; 2.) A similar conclusion was reached concerning second marriage of the widowed, and in particular of the clergy; 3.) It was also held that since these points were legislated by an ecumenical council, they were invested with universal legal authority. Consequently, in order to modify or annul such canons, a body of equal authority, i.e., another such council, had to legislate; 4.) However, it was also believed that with the difficulties associated with convoking such a synod and the pressing needs of the Church on these questions as well as other matters, an exchange of opinions could take place by letter or in an "Inter-Orthodox" or "Pan-Orthodox"

¹⁶ According to a list drawn up by the distinguished scholar the Rev. Dr. Demetrios J. Constantelos, other supporters during this period included the following: Ecumenical Patriarch Meletios IV, Archbishop John of Hungary and Transylvania, Dr. Basil Antoniadis (Chalke), Dr. Pantoleon Komnenos (Chalke), Metropolitan Philotheos of Nicomedia, Archimandrite Chrysanthos Philippides (later Metropolitan of Trebizond, and then Archbishop of Athens), Archbishop Gabriel of Montenegro (Church of Serbia), Archbishop Alexander of America and the Aleutian Islands, Metropolitan Basil of Nicaea (later Ecumenical Patriarch Basil III), Metropolitan Iakovos of Dyrracheion, Dr. Dragomir Dimitrescu (Theological Professor in Bucharest), Archimandrite Julius Skriban (Rumania), Metropolitan Kallinikos of Kyzikos, Professor I. Sokoloff (Russia), Metropolitan Gennadios of Heliopolis, Metropolitan Gennadios of Thessalonike, Metropolitan Gervasios of Ankyra, Metropolitan Agathangelos of Saranta Ekklesiai, Archpriest K. Kallinikos (Grand Oikonomos), and Professor Miloutin Milankovitch (University of Belgrade). In addition to these, Constantelos also lists as later supporters, Ecumenical Patriarch Athenagoras and Archbishop Athenagoras of Thyateira and England.

¹⁷ For an excellent series that summarizes the discussion and developments prior to the First World War, see Chrysanthos Philippides, "Ἡ δευτερογαμία τῶν κληρικῶν," *Ἐκκλησιαστικὴ Ἀλήθεια* 33 (1913) 13-15, 25-27, 49-51, 65- 67, 81-83.

council. A consensus of opinion in turn could permit a local autocephalous church acting on the advice of the competent bishop to take appropriate action in allowing such clerical marriages according to consideration of the circumstances involved, especially with regard to the harm or the benefit of the Church.

These views in fact prevailed at the 1923 Pan-Orthodox Congress (Πανορθόδοξον Συνέδριον)¹⁸ presided over in Constantinople by His All Holiness the Ecumenical Patriarch Meletios IV and, according to a contemporary account, attended by the following representatives:

The Serbs were represented by the Metropolitan of Montenegro, the Rev. Gabriel Dositch, and the Professor Milancovitch; the Rumanians by the Archimandrite Scriban, the Senator Draguitch, and a little later by the Professor Dragomir Dimitrescu, who arrived after the opening; the Russians by the Metropolitan of Kitchinev, the Rev. Anastasios, and the Archbishop of America, the Rev. Alexander, the Holy Synod of Athens by the Metropolitan of Durazzo, the Rev. Iakovos; and the Church of Cyprus by the Metropolitan of Nicaea, the Rev. Basil.¹⁹

Decisions taken addressed not only the questions under present discussion, but also concerned the calendar, the date of Easter, and other matters.

Two points should be noted concerning this gathering. The first is that there does not appear to be any association of the Congress in Constantinople with the Russian "Living Church" in either its general thought or historical circumstances. An examination of the minutes reveals that quite the contrary, the "Living Church" was opposed and that the decrees enacted by the Congress were viewed by its participants as in no way connected with such developments in Russia.²⁰ The seventh deci-

¹⁸The term, "Congress," was understood by the participants as the translation of the Greek term, Συνέδριον, see the rare edition of the acts of the Congress, *Πρακτικά καὶ ἀποφάσεις τοῦ ἐν Κωνσταντινουπόλει Πανορθόδοξου Συνεδρίου 10 Μαΐου–8 Ἰουνίου 1923* (Constantinople, 1923), pp. 49–50.

¹⁹This listing is found in, "Chronique des Eglises Orientales," *Echos D'Orient*, 22 (1923) 364–65: "Les Serbes etaient representes par le metropolite du Montenegro, Mgr. Gabriel Dositch, et le professeur Milancovitch; les Roumains par l'archimandrite Scriban, le senateur Draguitch et, un peu plus tard, par le professeur Dragomir Dimitrescu, qui arriva après l'ouverture; les Russes par le metropolite de Kitchinev, Mgr. Anastase, et l'archevêque d'Amérique, Mgr. Alexandre; le saint synode d'Athènes par le metropolite de Durazzo, Mgr. Jacques; et l'Eglise de Chypre par le metropolite de Nicée, Mgr. Basile."

²⁰In fact the two Russian representatives, Metropolitan Anastasios of Kitchenev and Alexander of America and the Aleutian Islands, made well-received statements against the "Living Church," *Πρακτικά*, pp. 28, 190.

sion of the Congress condemned the "clergy-laity assembly gathered in Moscow" for its "uncanonical decisions," among which were considered the deposition of the imprisoned Patriarch Tikhon of Moscow, who was characterized by the Congress as a "confessor" (ὁμολογητήν) of the faith.²¹

Secondly, the Congress directed its decrees to the hierarchs of the Orthodox church for their episcopal discrimination and possible action until the convocation of a Pan-Orthodox council. These were not mandates from the center of unity to its branches, but rather authorizations based on a consensus of opinion for perceived needed reform. Consequently, certain autocephalous churches adopted the Gregorian calendar on the basis of the Congress' decree and others did not. With regard to marriage after ordination the following was stated in the Congress' third decision:

The Pan-Orthodox Congress in Constantinople assembled under the presidency of His All Holiness the Ecumenical Patriarch Meletius IV took up during the sessions of May 25 and 30 and June 5, 1923, the examination of the question, "whether the existing anteriority between the mysteries of marriage and priesthood is immovable," and considers that: both these sacraments examined from both a dogmatic and sacramental viewpoint do not exclude one another; and that the relevant practice prescribed long ago for the benefit of the Church and prevailing up to the present permits modification, which is suggested presently by this benefit of the Church that serves and is served,²² as far as it is understood in Scriptural passages (cf. 1 Cor. 9: 5), and is also permitted by the spirit of the ancient Church (cf. the 10th canon of the Synod in Ancyra). The Pan-Orthodox Congress decides unanimously and by a majority: 1.) It accepts that a dogmatic reason does not exist for a permanent anteriority between the mysteries of marriage and priesthood, and consequently views the marriage of deacons and priests after ordination, as permitted in principle. However, the marriage of those who have been bound by monastic prayer is exempt. 2.) The synods of the local churches are able, however, on the advice of the competent bishop, to permit the contracting of marriage to priests and deacons who request it. 3.) This measure is reckoned canonically valid until the convocation of a Pan-Orthodox synod, to which alone it is reserved, however, to invest this legislation with catholic authority.²³

The fourth decision of the Congress dealt more specifically with the second marriage of clergy:

²¹ *Πρακτικά*, p. 222.

²² "The Church that serves and is served," i.e., clergy and laity.

²³ *Πρακτικά*, pp. 215-16.

The Pan-Orthodox Congress in Constantinople assembled under the presidency of His All Holiness the Ecumenical Patriarch Meletios IV took up in the sessions of May 25 and 30 and June 5, 1923, the examination of the question, under discussion in an urgent manner within some local churches, concerning the second marriage of priests and deacons widowed by the deaths of their own spouses. The Pan-Orthodox Congress taking into consideration that our Church's relevant practice, which has canonical legislation in support of itself from ancient times, does not have untouchable sacredness and immutable authority; and that as such, it admits of modification dictated by certain pressing needs and circumstances of the local autocephalous churches, and which (modification) aims at this benefit of the entire Orthodox church that both shepherds and is shepherded; decides unanimously: 1.) It views second marriage as permitted for those priests and deacons widowed by consequence of death, as not contrary at all to the spirit of the Church's teaching, but rather even preventing blame against the priestly condition. 2.) The synods of the local churches are able, however, on the advice of the competent bishop to permit the contracting of a second marriage to priests and deacons who request it. 3.) This measure is reckoned canonically valid until the convocation of a Pan-Orthodox synod, to which alone is reserved, however, to invest this legislation with catholic authority.²⁴

In both cases, the Congress decided that the ecclesiastical law in question did not involve a dogmatic teaching and that the Church had the authority to change its canonical regulations. The Congress' two decrees regarding matrimony after ordination and marriage of widowed clergy also embodied the fourth point of the position discussed above. With the difficulties associated with convoking an ecumenical synod and the pressing needs of the Church on these questions as well as other matters, an exchange of opinions could take place by letter or in an "Inter-Orthodox" or "Pan-Orthodox" council. A consensus of opinion could permit a local autocephalous church acting on the advice of the competent bishop to take appropriate action in allowing such clerical marriages according to consideration of the circumstances involved, especially with regard to the harm or the benefit of the Church.

The view can be taken that decadence in theological thought after the fall of Byzantium, especially in the Greek-speaking Orthodox world led to distortions, which included the use of ecclesiastical economy as recommended by the Congress. However, the theological problem is then raised

²⁴ *Πρακτικά*, pp. 217-18.

whether the Church remains a living organism after 1453; whether the Holy Spirit continues to work through the pastoral guidance of the hierarchy, who exercise a large role in the administration of economy; and whether the age of the Fathers continues.²⁵

Changing the Canon Law on Second Marriage?

Is canon law immutable or is there room for change? One solution to this question might be to view canon law as expressing God's truth perfectly, given the time and circumstances. If the circumstances change, certain canons may not express the truth and therefore can be suspended on the basis of "economy." In other words, the incarnation of the faith or divine truth which takes place in the canons, can be viewed as occurring according to the different circumstances that the Church sojourning in the world finds herself. Ecclesiastical legislation expresses spiritual truth given different material circumstances. If these conditions change, a specific canon may no longer be applicable and thus becomes null.²⁶

The reduction of canon law to purely temporal or worldly law is avoided because its source is divine and expresses divine truth, although only in relation to particular historical circumstances and conditions. In this sense, the canons are a divine-human reality parallel to the two natures of the Savior and are an expression of the Church's theandric economy, an extension of the Divine Redemption.

If this view of canon law were accepted, then there would be some possibility for change in the Church's formal canonical legislation by the appropriate ecclesiastical authority, an Ecumenical Council, and in its absence through ecclesiastical economy. In regard to the matter at hand,

²⁵ As Georges Florovsky states in *Bible, Church, Tradition: An Eastern Orthodox View* (Belmont, MA, 1972) pp. 111-112: "Our theological thinking has been dangerously affected by *the pattern of decay*, adopted for the interpretation of Christian history in the West since the Reformation. The fullness of the Church was then interpreted in a static manner, and the attitude to Antiquity has been accordingly distorted and misconstrued. After all, it does not make much difference, whether we *restrict* the normative authority of the Church to one century, or to five, or to eight. *There should be no restriction at all*. Consequently, there is no room for any 'theology of repetition.' The Church is still fully authoritative as she has been in the ages past, since the Spirit of Truth quickens her now no less effectively as in the ancient times."

²⁶ For a theological exploration of the nature of canon law in Byzantine thought, see Patrick Viscuso, "A Late Byzantine Theology of Canon Law," *The Greek Orthodox Theological Review* 34 (1989) 203-19.

conclusions should be reached on the basis of the questions raised earlier in this paper or similar inquiries concerning the influences and circumstances surrounding the Council in Trullo in order to determine whether or not its prohibitions on the second marriage of widowed clergy address our present circumstances. In the meantime, the needs of the Church continue.

Recent ordinations of digamous clergy or marriages after ordination have occurred with episcopal permission in the Churches of Constantinople, Antioch, and Russia. Certain parallel cases exist within the OCA and the Greek Orthodox Archdiocese of North and South America.

In Constantinople, for example, His All Holiness the late Patriarch Athenagoras gave permission for the ordination of a remarried man, who had previously been widowed and left with several children. This priest later occupied a high position associated with the Church of Greece. The patriarchal synod of Antioch has granted permission for remarriage to several widowed priests currently serving in the United States and in the Middle East. Bishops within the Church of Russia have ordained remarried seminarians, previously married and divorced civilly. In addition, there have also been instances of episcopal approval for the remarriage and continuance in the ministry of divorced priests. Within the OCA, the ministry of an Orthodox priest married to a previously divorced wife was accepted, and in fact, his ordination promoted through an appeal made to another jurisdiction. In the Greek Orthodox Archdiocese, there are at least two known cases of remarried candidates ordained, who were previously married and divorced within the Church.²⁷

The scarcity of written histories documenting permissions for such marriages, ordinations, and continuance in the priesthood does not negate the fact that they exist. One is led to the conclusion that in the absence of formal legislation changing the canon law such permissions are based on economy; the principal enunciated at the 1923 Congress that a synod based on the competent bishop's advice might treat each case according to its circumstances. These cases are evidence that the truth is being incarnated in new ways for changed historical realities, and consequently that there is a need for the Church to renew its legislation in a formal manner based on scholarship and the inspiration of the Holy Spirit.²⁸

²⁷ This information was acquired through interviews of Orthodox clergy who claimed firm knowledge of these circumstances. This should not be considered a listing of all such cases. For instance, the author has learned through third-hand accounts of remarried clergy serving with permission in the Church of Serbia.

²⁸ The author wishes to thank Rev. Dr. Demetrios J. Constantelos for providing a copy of the rare acts of the 1923 Congress as well as photocopies of other materials.

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Ecclesiastical Reform: At What Cost?

LEWIS J. PATSAVOS

The theme of this conference, "The Council 'in Trullo': Basis for Ecclesiastical Reform?," raises for us the vital question of reform. Is it desirable? Indeed, is it justified?

Call for reform and renewal in the Church is always legitimate if we believe that the Holy Spirit is perpetually at work in the Church. When speaking of reform and renewal, however, an additional question must be asked: At what cost?

This raises another issue, namely, the issue regarding the changeability of the holy canons and their relationship to the Church's dogmas. The Russian theologian and canonist Nicholas Afanasiev put it well when he said that the holy canons are temporal expressions of eternal truths.¹ What does this mean? It means that we recognize the fact that there exist certain unalterable truths of our faith. These truths are reflected in the dogmas of the Church, which are as true today as when they were originally pronounced. Canons are the applications of these truths for the historical existence of the Church. The truth that the canons express is in itself absolute. However, the content of the canons is not this truth, but the means by which it is expressed in a given historical moment of the Church's existence.

The above premise is embodied in canon 2 of the Council "in Trullo": "We uphold the all-encompassing and unshakable enactment of these rules."² It is indisputable that the canons express truths of divine revelation, but in a relative, not absolute, sense. In an absolute sense, many canons

¹ N. Afanasiev, "The Canons of the Church: Changeable or Unchangeable?" *St. Vladimir's Seminary Quarterly* 11 (1967) 61-62.

² Translation in Afanasiev, p. 62; otherwise, see unabridged translation of the canons in H. Percival, ed., *The Seven Ecumenical Councils*, vol. 14 of *Nicene and Post-Nicene Fathers*, second series (Grand Rapids, 1956).

no longer express these truths in the way they were understood originally. Throughout the history of the Church, new decisions have been reached, but often expressed by means of the same ancient canons. Consequently, the original content of the canon is overlooked or completely forgotten.

Such is the case, for example, with the prescription of canon 12 of Antioch (341), which allows for a condemned bishop to appeal to a "larger council of bishops." As understood originally, a "larger council of bishops" was a provincial council enlarged with bishops from neighboring provinces. In accordance with the later development of patriarchal sees as jurisdictional entities, however, the "larger council of bishops"³ was no longer understood as such, but as a council of bishops of a patriarchate.

Another example is canon 9 of the Council "in Trullo," which prohibits a cleric from having a tavern.⁴ In subsequent years, however, it was possible for a cleric in Byzantium to own a tavern so long as he did not operate it. Here we see the original canon applied in a way in which it was certainly not intended. The true meaning of the canon is forgotten or distorted, and its place is taken by a practice having no basis in the Church's canonical tradition.

In the age of creative conciliar activity, the Church enlarged, replaced and changed earlier canonical decrees. In spite of this, it was never felt that the lasting character of the canons, even those that were changed, was compromised. If the new decision genuinely reflected the Church's essence, then the dogmatic teaching that served as the basis for both the old and the new canons remained unchanged. The old canon continued to reflect a truth, but only for a past era.

This is precisely how the fathers of the Council "in Trullo" acted when they considered it necessary and in keeping with the needs of their time to introduce celibacy for the episcopate. They furthermore directed that all previously ordained bishops should separate from their wives. The council fathers were correct to write that they issued the new decree "not with any intention of setting aside or overthrowing any legislation laid down by the Apostles, but having due regard for the salvation and safety of people and for their advancement" (canon 12).⁵

The "legislation laid down by the Apostles" mentioned above refers to canon 5 of the Holy Apostles. Accordingly, it states that "a bishop, presbyter, or deacon (ought not to) put away his wife under pretense of religion; but if he put her away, let him be excommunicated; and if he persists, let

³ Afanasiev, p. 63.

⁴ Afanasiev, p. 65.

⁵ Afanasiev, p. 63.

him be deposed.”⁶ This canon indeed expressed the dogmatic teaching about the Church’s hierarchy, but it expressed it in conformity with its own era. When the historical conditions of life changed, it was necessary to issue a new decree in order to express the same dogmatic teaching. Whether or not the canonical conscience of the fathers of the Council “in Trullo” was correct is a question of a different order. Nevertheless, it is quite clear that the historical era of that council differed greatly from the time of the Apostles.

In a time of decline in conciliar activity, as we have seen, the original meaning of the canons is forgotten or distorted. Their place is then taken by customs having no basis in the Church’s authentic canonical tradition. The historical perspective is lost, and the appearance of a custom is associated with the past, as if that alone assured it its integrity. Furthermore, a false tradition is created, thereby leading the Church’s life away from its dogmatic foundations and compromising its divine-human nature. The negative consequences of decline in conciliar activity can only be overcome by a renewal of creativity in our canonical life, which is the theme of this conference.⁷

As mentioned in the beginning of this paper, however, when speaking of reform and renewal, the question which must be asked is: At what cost? The importance of this question becomes immediately apparent when one considers the dangers inherent in any movement of reform. The initial zeal of the moment always runs the risk of falling prey to excess. In the interest, therefore, of preserving what is genuine and essential in the Church’s tradition, while at the same time nurturing an openness to necessary reform, I offer these reflections.

As has already been stated, there can be no mention of reform in the Church without first addressing the basic question regarding the possibility of changing the holy canons and adjusting them to contemporary pastoral needs.⁸ One must begin by affirming the theological nature of the holy canons, which makes them unchangeable and unrenovable in spirit, since they express in time the eternal truth and essence of the Church.⁹ However,

⁶ Percival, p. 594; see also Afanasiev, p. 63-4.

⁷ What Bishop Kallistos Ware says about “true Orthodox fidelity to the past” rings especially clear here. T. Ware, *The Orthodox Church* (Baltimore, 1973) 206.

⁸ Regarding the interface of pastoral theology and the holy canons, see G. Kapsanis, *He poimantike diakonia kata tous hierous kanonas* (Pireaus, 1976).

⁹ The basic question concerning the unchangeable and unrenovable dimension of the canons is treated extensively in the publication by Prof. C. Mouratides, *To aionion kyros ton hieron kanonon* (Athens, 1975).

they can be supplemented and modified in letter and form under certain conditions because of their pastoral nature. This is possible only with the enactment of new canons by the competent ecclesiastical authority, so that new historical realities can be dealt with pastorally. What is never allowed is changing and adjusting the dogmatic and ecclesiological basis of the canons. This would be tantamount to denying the divine-human reality and truth of the Church.

The ecumenical synods speak of the divinely inspired character of the canons, a conviction alive in the tradition of Orthodoxy up to the present. As expressed by Saint Nikodemos of the Holy Mountain:

This book (*The Rudder*) is, in effect, holy scripture next to Holy Scripture, and a testament next to the Old and New Testaments. Next to the first divinely inspired words, its contents are second divinely inspired words. This book contains the eternal limits set by the fathers and the laws which endure forever...which were decreed by ecumenical and local councils through the Holy Spirit... This book is indeed, as we have called it, the Rudder of the Catholic Church, which when steered by it securely, directs its passengers, both clergy and laity, to the safe harbor of the kingdom above. This book is the fruit and the result and the purpose for which so many...patriarchs labored, so many God-bearing and Spirit-bearing hierarchs from the ends of the universe journeyed...and convened ecumenical and local councils and struggled for so many years.¹⁰

In view of the genuine Orthodox conviction regarding the changeability of the holy canons articulated above, one can only characterize the extreme positions taken on this subject as distortions. On the one extreme is the position calling for the enactment of new canons contrary in spirit to the earlier canons. On the other extreme is that calling for the preservation of even the letter of the canons to confront contemporary pastoral needs.

Although these two extreme positions oppose each other, they nevertheless have one thing in common. They both render pastoral ministry in the contemporary Church ineffective. Both positions are based upon an ecclesiology which is non-Orthodox. According to the first (calling for the enactment of radically new canons), the transmitted faith cannot transform the contemporary world. What is sought, in fact, is the transformation of the Church by the world. According to the second (calling for the preservation of the letter of the law), the Church cannot transform the contemporary world, because she must retain the old historic forms regardless of new and different needs.¹¹

¹⁰D. Cummings, trans., *The Rudder* (Chicago, 1957) li.

¹¹Kapsanis, p. 87.

Nevertheless, besides the correct interpretation of the canons, every genuine pastoral accommodation and renewal of our canonical tradition necessitates the following presuppositions as well:¹²

1) The element of historical change, due to which change in the canons is also necessary, ought not to be over stressed. It is true that due to the drastic changes taking place in the modern world, there are also changes in the psychology, behavior and general disposition of contemporary society. In reaction there are those overcome by deep anxiety who call for immediate change in some of the fundamental tenets of the faith. Needless to say, such change—if realized—can only lead to a transformation of the essence of the faith. Nevertheless, there is much that still remains unchanged, due basically to the unchangeable nature of persons and their existential needs. Furthermore, even in those situations where there is change, there exists the principle of analogy. Accordingly, when analogies are kept, the solution offered by the canons for certain pastoral problems of the past can be applied to similar problems of the present. Such an instance is the way those converting to Orthodoxy are received into the communion of the Church.¹³ As in the early church, which practiced several ways of accepting converts to Orthodoxy, so too today, the determinant as to which mode of acceptance is applicable depends upon the proximity of one's previously held beliefs to Orthodox doctrine.

2) The call for change in the canons can conceivably also be used as an excuse for altering their dogmatic content. It is perfectly possible that liberal theologians who reject the claim of the Orthodox Church to be the one, holy, catholic and apostolic Church might call for change in those canons which prohibit the equalization of our church with other churches. Such a radical change would, of course, presuppose change in the doctrinal basis of these canons as well.

The claim of the Orthodox Church to exclusivity is bold, and to many it will appear arrogant. This, however, is to misunderstand the spirit in which it is made. It is certainly not because of any personal merit of her members, but by the grace of God. To hold to anything less would be a betrayal of the self awareness of Orthodoxy as being the continuation of the undivided church of early Christianity.¹⁴

¹² Kapsanis, pp. 87-89.

¹³ For the ways in which heretics were received into the early Church, see J. Karmiris, "Ways of Accepting Non-Orthodox Christians into the Orthodox Church," *The Greek Orthodox Theological Review*, 1 (1954) 38-47; for the contemporary Church, see J. Erickson, "Reception of Non-Orthodox into the Church," *Diakonia* 19, 1-3 (1984/85) 68-86.

¹⁴ Ware, pp. 250-51.

3) The adaptation of the canons to today's needs must not occur at the expense of the moral demands of the Gospel or of the ascetical ethos of Orthodoxy. An exclusively humanistic and anthropocentric approach to the problems plaguing contemporary society deprives the Church of her own approach to these problems. In other words, it seeks forms of pastoral intervention which do not presuppose repentance and struggle for denial of one's old self. On the contrary, a humanistic and anthropocentric approach contributes to the secularization of Christianity, adapted to today's pragmatistic and materialistic values.

4) The understanding that the only competent authority able to undertake initiative in introducing permanent change in our canonical tradition is an ecumenical council. Only a true ecumenical council is able to speak with authority as the conscience of the Church and to exercise creativity from a canonical perspective. It alone can abolish and modify canons of earlier councils, providing there are specific pastoral needs requiring it, and under the presuppositions stated above. In the meantime, local councils of limited scope can and do decide on matters of local importance through decisions which do not conflict with practices of universal validity within Orthodoxy. In addition, there is already in preparation a Great and Holy Council of the Orthodox Church, whose preparatory conferences have in fact addressed several significant practical matters, such as fasting practice and marriage impediments. Is it therefore not possible that renewal and reform are already under way?

Under these conditions, it is entirely possible that adaptation and reform, as well as the enactment of new canons, will occur for a redemptive encounter of the Church with the world of today. Reform without the presuppositions mentioned above may make pastoral ministry contemporary; it will not, however, necessarily make it relevant to redemption. Only what redeems the world is truly relevant.

In order for those who exercise pastoral ministry to apply the canons correctly, they must experience their spirit and the faith of the Church generally in a profound way. Only then is it possible to understand the importance of the holy canons for contemporary pastoral ministry. Only then can the appropriate economy be exercised and the necessary adjustments be made to confront contemporary pastoral problems. A superficial understanding of the canons is dangerous and will lead either to their rejection or to a legalistic interpretation of spiritual life.

The pastor who lives and understands the spirit of our tradition, an integral part of which are the holy canons, senses with the guidance of the Holy Spirit how to apply them correctly. This is the spiritual gift of discernment, which the fathers call "diakrisis". The difficulty lies not in the fact that the canons are an anachronism, but that we are unable to live according to their spirit, which is the spirit of our Orthodox tradition. As a result, the presuppositions and criteria for their correct appropriation are lacking. Therefore, every attempt to change the canons arbitrarily on the part of pastors and theologians who do not live the tradition is destined to fail. That which is urgently needed is what the fathers call *kale alloiosis* (i.e., the proper change of the pastor in the light of tradition). This alone will create the necessary presuppositions for a genuine and authentic renewal of our canonical tradition.¹⁵

What, then, in the final analysis, is the relationship of pastoral ministry to the holy canons?¹⁶ The pastoral care of persons in today's secular society necessarily presupposes a foundation of inspired principles and methods. These principles and methods have in fact been preserved in the teaching of the one, holy, catholic, and apostolic Church of Christ.

Such a foundation is especially necessary in view of our susceptibility to adopt pastoral "techniques" under the influence of various elements alien to Orthodox ecclesiastical ministry. Because of this influence, pastoral ministry as exercised in the Orthodox Church has frequently been deprived of its Christ-centered focus, i.e., its Christocentrism, and has become anthropocentric.¹⁷

A significant step in overcoming this vulnerability of our pastoral ministry and in recalling the spirit, principles and methods of the ancient, undivided Church has already been taken. It is found in the effort to correlate pastoral ministry and the holy canons.

As an example, let us focus our attention upon certain contemporary expressions of pastoral ministry, such as pastoral psychology. In order for contemporary ministry to reflect the divine and human aspects of pastoral theology experienced throughout the ages, it is necessary to understand the methods of pastoral theology transmitted by the fathers. Today's anthropocentric pastoral ministry developed for the most part in a secular

¹⁵ Kapsanis, p. 90.

¹⁶ See prologues of C. Mouratides and G. Kapsanis in Kapsanis, pp. 11-16, from which much of the assessment which follows is adapted.

¹⁷ The christocentric focus of pastoral ministry as understood in the early Church is the basis of an excellent study by C. Mouratides, *Christokentrike poimantike en tois "Asketikois" tou Megalou Vasileiou* (Athens, 1962).

context. Despite its apparent luster on the surface, it remains deficient in essence, without redemptive value, because it is not rooted in the mystery of the Church. It investigates the problems of a person anthropocentrically, i.e., with human criteria and a rational approach. The soul, which thirsts for union with God, does not rest upon the moral imperatives or psychological analyses of a particular school of psychological thought. It does not even rest upon the human assistance provided by psychiatry.

The shepherd of souls must deliver his flock from the bondage of the devil, of sin and of death to the "glorious liberty of the children of God" (Rom 8.21) and commit to God souls perfected and sanctified. In view of such a task, he must realize the inadequacy of an anthropocentric pastoral ministry. He must therefore turn to the holy canons, which express the experience of the Church as confirmed by the synods and the fathers who comprised them. Each father is considered the voice of the Church because of the submission of his will to that of the Church's founder. How much more, then, do not the decisions of the synods express the will of the Church and thereby constitute a certain path of salvation?

The holy canons contain the pastoral experience and theology of the Church. Consequently, whoever wishes to discover the most genuine expression, method, and experience of pastoral ministry need only consult the canons. Orthodox pastoral ministry must not be exercised according to each pastor's subjective view. It must be exercised according to the will of God, as expressed by holy scripture and tradition, as well as by the holy canons based on them. This is why the canons and pastoral theology are so closely intertwined. Whoever pastors according to the spirit of the holy canons pastors in the spirit of the Church, according to the will of God. Whoever pastors according to his own convictions, independently of the holy canons, pastors merely as an individual apart from the Church.

Pastoring with ecclesiastical sensitivity ultimately relates to the salvation of both pastors and faithful. The Church always affirmed faith in the divine and human natures of Christ through the synods and the fathers. The temptation of offering salvation through human means alone, apart from him who was both divine and human, was never absent from the human experience. That is why one may speak of an Orthodox pastoral ministry, which encompasses both divine and human elements, and an anthropocentric pastoral ministry, which is concerned mainly with human elements. Pastoral ministry which is anthropocentric denies obedience to

the spirit of the holy canons and tradition of the Church. Under the pretense of harmonizing pastoral ministry with contemporary thinking, such an approach arrogantly projects the will of the unredeemed individual as the regulator of pastoral methodology and moral behavior in general.

We must, of course, approach the canons in repentance and humility, not to judge them, but to learn from them both pastoral theology and methods of ministry. We ought not to invoke them whenever we want to support our personal interests and dismiss them whenever they judge our unecclesiastical and uncanonical acts. The frequent inconsistencies with regard to the holy canons are a scandal to all who love the Church.

Those who fault our canonical tradition for being outdated or for conflicting with the spirit of Christ's love are undoubtedly moved by the same anthropocentric spirit. Such a theology is anti-traditional, based on the mistaken view that unadulterated Christianity is not to be found in the later tradition of the Church, but only in the primitive Christianity of the New Testament. All those who live the mystery of the Church in an Orthodox ethos know that the church of the ecumenical councils is no less the Body of Christ than the primitive church. How is it possible for those alien to ecclesiastical life and experience, concerned only with a rational theology, to comprehend the Orthodox canonical tradition? If we do not comprehend our canonical tradition and the canons which comprise it, the canons are not at fault. We, who lack the necessary spiritual vision to see as God sees, are at fault.

All this points to the need to study the holy canons. In doing so, one must search first and foremost for the theological and pastoral elements they contain. At the same time, one must always remember that pastoral ministry divorced from theology is reduced to a technique. As such, it differs little from empty moral rules and obligations with no relation to the pastoral theology of the Church, which is always theologically grounded. Moreover, the study of the pastoral and theological nature of the canons provides the opportunity for their correct assessment and appreciation. Such a study makes it evident that despite their sometimes legal expression, the canons do indeed have a theological basis and a pastoral purpose.¹⁸

What has been said above about our canonical tradition and the holy canons comes at a time when there is much confusion about the role of the canons in the Church today. This sense of confusion is in large part due to

¹⁸ Regarding the pastoral significance of the canons, see my article "The Canonical Tradition of the Orthodox Church," in F. Litsas, ed., *A Companion to the Greek Orthodox Church* (New York, 1984) 144.

the spirit of secularism which pervades our society. It is my fervent hope that our discussions throughout this conference will contribute to a proper understanding of this tradition, so that ecclesiastical reform will never be misguided.

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Emerging Ecumenical Families

STANLEY S. HARAKAS

The intent of this paper is to reflect pastorally on the reality of "Emerging Ecumenical Families" from an Orthodox perspective.¹ In the first part of the paper there is an effort to discuss the socio-religious reality of "mixed" or "inter-faith," or "inter-religious," or "inter-credal" or "ecumenical" marriages and their resultant families. The second part seeks to develop some conceptual tools for approaching the issue from an Orthodox perspective. The third is a case study of an emerging Greek Orthodox parish which has been founded with the explicit purpose of serving such "emerging ecumenical families."

I. THE SOCIO-RELIGIOUS REALITY

It has become a commonplace to observe that in the United States the ideological pluralism of our society has had a powerful impact on social structures. C. Ellis Nelson has called our times "an era of radical pluralism."² This pluralism has become a reality for all religious bodies in the

¹ The issue, of course, by its nature is not limited to one Church tradition. It is a sociological reality to lesser or greater extent among all religious traditions in the Western Hemisphere. See George Kilcourse, "Ecumenical Marriages: Two Models for Church Unity" *Mid-Stream*, vol. 26(2), (1987). 189 - 214. Reference is made to The Association of Interchurch Families in England, and Foyers Mixtes in France, which are organizations attempting to deal with these issues ecclesiologically, rather than simply ignoring theological problems and engaging in easy intercommunion, creating an ecumenical catechesis with shallow roots in either tradition, or simply leaving the church altogether.

² C. Ellis Nelson, "Religious Education In An Era of Radical Pluralism" *Religion in Life*, 36:1, (1967), 128 - 138.

nation and one of the greatest impacts it has had is on church-related marriages and families.

In the Greek Orthodox Archdiocese, official published Registry records show that in 1976 54% of marriages were between Orthodox persons and 46% were mixed, or inter-Christian marriages. By 1986, 37% were between Orthodox persons and 63% were mixed. In 1992, the latest published figures, 35% of marriages in the Greek Orthodox Archdiocese were between Orthodox persons and 65% were mixed.

When one takes into consideration that frequently conversion to the Orthodox faith by the non-Orthodox marital partner takes place before the marriage, it is reasonable to assume that the number of marriages in the Greek Orthodox Archdiocese between persons of Christian backgrounds other than Orthodox has probably reached a point over 75% with only a quarter or less marriages taking place between Orthodox who have been members of the Orthodox Church since childhood.³

Reflection on this issue is long-standing. The twenty-second Clergy-Laity Congress of the Greek Orthodox Archdiocese raised the topic as an issue of concern in 1974.⁴ In 1988 a special commission, charged by Archbishop Iakovos of the Greek Orthodox Archdiocese to study the future course of the Greek Orthodox Archdiocese "in the third millennium," issued its report, "The Future of Orthodoxy in the Greek Orthodox Archdiocese of N. & S. America." Its report was published in 1989.⁵ An extensive portion of the report dealt with mixed marriages and their impact on the Greek Orthodox Archdiocese.⁶

The report approached the issue of intermarriage in both an ethnic and religious context. It saw the issue as seriously challenging to the Church. It asked whether intermarriage should be seen as "Opportunity or Problem?" It opted for the former.

Necessity requires then that the rise in inter-marriage be looked upon as an opportunity rather than as a problem. For without genuine acceptance

³ These representative figures are based on the reported "Vital Statistics 1976/1992" Greek Orthodox Archdiocese, *Yearbook 1994*, (New York, 1994), 94-95.

⁴ Stanley S. Harakas, *Let Mercy Abound: Social Concern in the Greek Orthodox Church* (Brookline, 1983), 142.

⁵ "Report to His Eminence Archbishop Iakovos - Commission: Archdiocesan Theological Agenda" *The Greek Orthodox Theological Review* 34: 3 (Fall 1989), 283-306.

⁶ "Section D - Social Realities," *Ibid.* 300-305, dealt with this issue in its ethnic as well as religious dimensions.

of non-Greek spouses and steps to reinvigorate Greek Orthodox identity among youth, the very demographic continuance of Greek Orthodoxy in America is problematic.⁷

The report concluded with a general principle calling for a greater focus on ecclesial identity in pastoral work in reference to intermarriage.

An honest assessment of our numbers and the realities of intermarriage demand serious reflection and re-orientation of basic assumptions about our identity and the future course of our Archdiocese. A firm, clear and unequivocal acceptance of the social realities in which we live need not mean an abandonment of our ethnic heritage, but like many other ethnic groups in America, it will be preserved only within the framework of a larger commitment to the Orthodox Christian faith.⁸

The focus of this report, by design, was the impact of this and several other concerns on the changing ethnic/religious composition of the Archdiocese. The motive and argumentation seemed to target the felt need to find a way of allowing the survival of an ethnically based Orthodox Church in the midst of the "radical pluralism" of the United States. The idea of dealing with "intermarriage" in a way that saw mixed marriages as a potential opportunity, rather than as a problem, was only suggested by the report. Cast as it was in the framework of preserving ethnic identity, if only in a vitiated and nominal fashion, it did not develop in any significant way, the outreach and mission opportunities inherent for the Church of mixed marriages in a "radically pluralistic" environment.

Not dealt with were the means by which the non-Orthodox (more accurately, the non-Greek Orthodox) partner in a mixed marriage could be incorporated into ecclesial parish life. Nor was the Church's liturgical response to the rapidly evaporating ethnic primary loyalties of second, third and fourth generation birth-Orthodox discussed at any length. Almost unarticulated, but assumed, was the intent to keep Orthodox persons who marry non-Orthodox persons as members of the Orthodox Church and to limit the withdrawal of such members because of their marriages to non-Orthodox persons. Implied, as a result, was that it would be necessary to find ways to encourage the non-Orthodox member to become a positive factor in the continuing membership of the Orthodox marriage partner. But little was said of that.

⁷Ibid., 303.

⁸Ibid., 306.

Nevertheless, the 1988 report seemed to open a door to a more creative and open stance toward the phenomenon of mixed marriages, proposing that they are an opportunity, rather than a problem.

II. ECCLESIAL TRADITION AND MIXED MARRIAGES

It must be noted that the approach to mixed-marriages as an "opportunity" for the Church and not as a "problem" brings the Church full-circle to at least one dimension of its original biblical position on the question. Fr. Haralambos Hatzopoulos, who holds degrees in both theology and law, has studied the question of mixed marriages carefully in his book *The Sacred Mystery of Marriage: Mixed Marriages* published in 1990.⁹ In part four of the volume he traces the scriptural, patristic and canonical development of the Church's approach to interfaith marriages. The critical New Testament passage is 1 Corinthians 7:12-14, in which St. Paul advises converts to Christianity to remain with their non-Christian spouses, indicating that by so doing they "sanctify" them. Quoting Prof. John Panagopoulos from a 1940 study, Hatzopoulos accepts the exegesis of that passage which imputes to Paul a missionary motive. Panagopoulos holds that Paul's purpose is, on the one hand, not to dissolve existing families, while on the other hand, to contribute to "the success of the work of attracting the unbelieving (spouse) to the religion of the Theanthropos."¹⁰

Hatzopoulos, however, also traces the canonical, patristic, ecclesial and Modern Greek legal development on the issue of mixed marriages that took its cue not from 1 Corinthians 7 but from the passage in 2 Corinthians 6 which instructs "Do not be mismated with unbelievers. For what partnership have righteousness and iniquity? Or what fellowship has light with darkness? What accord has Christ with Belial? Or what has a believer in common with an unbeliever?" (2 Corinthians 6.14-15).

The strict canonical consequence was to prohibit marriages between Orthodox Christians and heretics and schismatics, as well as between Orthodox Christians and persons of other religions. Canonical references are to the 10th, 21st and 31st canons of Laodicia (A.D. 320), the 21st canon of Carthage (A.D. 393), the 4th Ecumenical Council in Chalcedon's canons (A.D. 451) and the strictest of all, the 74th canon of Fifth-Sixth Ecumeni-

⁹ Haralampou P. Hatzopoulou, *Τό Ἱερό Μυστήριο τοῦ Γάμου· οἱ μνητοὶ γάμου* (Athens: n.p. 1990).

¹⁰ Ibid., 264.

cal Council (A.D. 680). Byzantine legislation under Emperor Justin I (A.D. 518-527) and Justinian in 530 gave legal and economic (inheritance) sanctions to support these positions.

Nevertheless, considerations of canonical *oikonomia*, led to a practical relaxing of some of these canons so that marriage between Orthodox Christians and non-Orthodox Christians now takes place, though the rule prohibiting marriages between Orthodox Christians and non-Christians is still enforced.¹¹

The ideal, of course, is still encouraged. Elsewhere, I have written:

For the Orthodox Church, the normal and desirable marriage is between a man and a woman both of whom are practicing and faithful Orthodox Christians. The Sacrament unites persons of faith in a spiritual bond which joins them in life not only according to the flesh and emotions, but also spiritually. Together they pray, worship God, attend Church, participate in the Sacraments, fast and together they commune the Sacred and Holy Body of Christ in the Eucharist. Together they form a household and a family. Together they raise their children in the Church, baptizing them and leading them to the Chalice. Together with their children they grow in the image of God. As a family they form "a Church in the home" (Romans 16:5, Philemon 2) and are a unified witness to the Orthodox faith and way of life.¹²

Nevertheless, as we have seen, mixed marriages are a dominant fact of ecclesial life for the Greek Orthodox Archdiocese, and, it would seem, for all Orthodox jurisdictions in the Western Hemisphere including South America, Central America and Canada, as well as the United States.

The 1 Corinthians, rather than the 2 Corinthians, stance has become the dominant practical reality for the Orthodox Church in the Western Hemisphere. Again, elsewhere, I have written:

According to current practice, an Orthodox Christian may marry a non-Orthodox Christian and remain in Sacramental communion with the Church if the non-Orthodox partner has been baptized in a Christian Church which believes in and baptizes persons in the name of the Holy Trinity, and if the marriage takes place with the Orthodox Sacrament of Matrimony. The Church would like to see the non-Orthodox become Orthodox, but since

¹¹ For a discussion of current practice regarding mixed marriages in the Orthodox Church, see Stanley S. Harakas, *Guidelines for Marriage in the Orthodox Church*, (Minneapolis, MN, n.d.) and Stanley S. Harakas, *Contemporary Moral Issues Facing the Orthodox Christian* (Minneapolis, MN, 1982) sections 27 and 28.

¹² Harakas, *Contemporary Moral Issues*, Ibid., 108.

proselytizing is rejected, this is left to the free decision of the non-Orthodox spouse.¹³

Another way of approaching the situation is by means of sociological analysis. In this context, other factors, in addition to the religiously mixed marriage complicate the issue even more. The work of Albert Gordon provides some direction here.¹⁴ Gordon calls any marriage in which there are differences between the spouses in religion, race, and/or ethnic identity, an "Intermarriage." Variations of these, sociologically speaking, then, are "interfaith" marriages and resultant families, "interracial" marriages and families or "interethnic" marriages and families. Clearly, there can also be varied combinations of all of these, and usually are made up of such combinations. Thus, a Greek-American married to a Greek-born and raised person in all likelihood does not form a religiously mixed household, but the cultural variations between a Greek-American and a Greek-born and raised person do form a culturally mixed marriage. When the spouses differ regarding their ethnic and religious backgrounds, as is the dominant pattern in our Churches today, we have a sociologically multiply-mixed marriage. A Greek-American who marries an Italian Roman Catholic is not an uncommon form of mixed marriage in New England, for example.

Yet, even here, the shared Southern Mediterranean culture may not be as sharp as a Chicagoland Greek-American Orthodox marrying a German-American Lutheran, or a Greek-American Orthodox in Georgia marrying a white Anglo-Saxon Southern Baptist. It becomes clear that in practice, mixed marriages form complex phenomena.

The issue, then, is whether the Church can address the phenomenon of multiply-mixed marriages as an opportunity, on the one hand, to retain Orthodox members in the Church, and, on the other, to preserve some element of its cultural and ethnic heritage and identity.

III. A CASE STUDY: AN EMERGING "ECUMENICAL FAMILY PARISH"

It is a commonplace in the Greek Orthodox Archdiocese to intimately

¹³ Ibid., 109. If the marriage does not take place within the Orthodox Church, the consequences are serious. The passage above continues: "If the marriage is not solemnized in the Orthodox Church, then the Orthodox partner is not in good Sacramental order with his or her Church and consequently may not participate in the rest of the Sacramental life of the Church. These persons consequently, may not receive Holy Communion or serve as sponsors at baptisms and weddings."

¹⁴ His work is reported at greater length in sec. 27 of *Contemporary Moral Issues*, 105-07.

relate Greek cultural identity with Orthodox religious identity. Given the Orthodox Church's centuries old traditions of rapid indigenation in mission theory and practice,¹⁵ and given the *symphonia* tradition in church-state relations,¹⁶ this is the dominant pattern which has served Orthodoxy well for over a millennium. In many places it continues to be an adequate expression of the incarnational theology of Orthodox Christianity. Even in the "radically pluralistic" environment of the United States, it continues to serve numerous, until now, ethnically cohesive Orthodox jurisdictions. But increasingly, as we have seen, it has been challenged by sociological realities and has elicited many theologically based efforts to address it.¹⁷

Numerous ethnic jurisdictions in the United States have sought a modest accommodation to the changing sociological realities by introducing, in greater or lesser measure, the use of the English language in worship. This has had several different consequences.

¹⁵ Ion Bria, ed., *Martyria/Mission: The Witness of the Orthodox Churches Today*. (Geneva:, 1980.) James J. Stamoulis, *Eastern Orthodox Mission Theology Today*. (Maryknoll, NY, 1986). Stanley S. Harakas, "Philotheos Revisited: The Reawakening of Mission Outlook in the Greek Orthodox Archdiocese" *Greek Orthodox Theological Review* 32, (1987), 253-269.

¹⁶ Stanley S. Harakas, "Orthodox Church-State Theory and American Democracy," *Greek Orthodox Theological Review* 21:4 (1976), 58-62; idem, "Church and State in Orthodox Thought," *Greek Orthodox Theological Review* 27, 1, (Spring 1982).

¹⁷ Some of my own contributions to the discussion are the following writings: Stanley S. Harakas, "The Meaning of the Adaption of Orthodoxy to the Contemporary World," *Επιστημονική Έπετηρίς Θεολογικής Σχολής* 19 (Thessaloniki, 1974), 127-140; idem, "Living the Orthodox Christian Faith in America," *Lutheran World* 23, 3, (1976), 192-199 (also published under the same title in *Martyria / Mission*, ed. by Ion Bria, (Geneva, 1980), 153-158; idem, "Influence of the Greek Orthodox Church on Parishioner Life Styles," *The Hellenic Chronicle* (October 30, 1975, November 6, 1975); idem, "The Local Church: An Eastern Orthodox Perspective," *The Ecumenical Review* 29, 2, (1977), 141-153; idem, "Clergy and Laity in a Crystal Ball: Trends and Projections," in *The Role of the Priest and the Apostolate of the Laity* (Brookline, 1982); idem, "Educating for Moral Values in a Pluralistic Society," *Greek Orthodox Theological Review* 29, 4, (Winter, 1984), 393-399; idem, "Orthodoxy In America: Continuity, Discontinuity, Newness," Theodore Stylianopoulos, Ed., *Orthodox Perspectives on Pastoral Practice* (Brookline, 1988), 13-29; idem, "Must God Remain Greek?" *The Ecumenical Review* 43, 2, (April, 1991), 194-199. Also published in *Greek Orthodox Theological Review* 36, 3-4, (1991), 353-360.

In some jurisdictions, it has essentially meant a war against old-world cultural identities in favor of an "American" or "Canadian" or other "New World" identity. Both "birth-Orthodox" and converts are dissuaded from expressing any old-world cultural identities. Sociological realities, however, proved this to be an untenable position, and some counter-accommodation has had to be made for these concerns.

In some places accommodation has sent a message of begrudging toleration of the non-ethnic non-Orthodox spouse, where the convert is accepted religiously, but constantly reminded of his or her cultural "outsider" status. In some other instances, it has meant the cultural, as well as religious conversion of the spouse, who adopts the whole of the cultural-religious phenomenon, much like the Old Testament widow Ruth who adopted in toto her mother-in-law's and subsequently her husband Boaz's religion and culture. The scriptural passage expressing this total re-orientation is well known. "Where you go I will go, and where you lodge I will lodge; your people shall be my people, and your God my God; where you die I will die, and there will I be buried."¹⁸

In many cases, as the ethnic ties have weakened, so also, have the religious ties, so that intermarriage becomes a catalyst for many thousands to abandon the Orthodox faith and follow their spouses into other religions or to abandon religious affiliation all-together.

In the context of this "radical pluralism" two couples approached the Bishop of a Greek Orthodox Diocese in 1990 to propose a creative response to the question of interfaith marriages and families. The two couples were Greek-Americans in background. Their proposal was to investigate the possibility of establishing a parish which would seek out people who were looking for a parish that was traditional in its liturgical and doctrinal stance, but open and accepting of interfaith families, converts and the non-Orthodox spouses and children of Orthodox persons in a way that addressed the language question, but also sought to transcend it in several ways that would emphasize as much inclusivity as possible.

The need expressed was for a local parish that would provide an envi-

¹⁸The full passage is: "But Ruth said, 'Entreat me not to leave you or to return from following you; for where you go I will go, and where you lodge I will lodge; your people shall be my people, and your God my God; where you die I will die, and there will I be buried. May the Lord do so to me and more also if even death parts me from you.' And when Naomi saw that she was determined to go with her, she said no more" (Ruth 1:16-18).

ronment in which an Orthodox Christian could comfortably bring a non-Orthodox spouse and their children, where the parish environment would be friendly, congenial, accepting and encouraging of participation by Orthodox and as much as ecclesially possible by the non-Orthodox spouse and family members.

The Bishop, we shall call him Bishop M., listened with care to the concerns of these people and encouraged them to find other like-minded people. Within a short time, a group was formed to plan for a new parish in the diocese. Among those who eventually came to be included in a core group, in addition to the original two Greek-American couples, were a wide range of other religio-social combinations of marriages and families.

Among these were some couples and families in which both spouses were either Greek-born in origin or Greek-Americans who were both "birth-Orthodox" whose children were also baptized Orthodox. But there were also mixed-married couples in a wide range of possible combinations. Illustrative of them are the following:

- a) husband, Greek-American Orthodox / wife, non-Greek Roman Catholic / children Orthodox;
- b) husband, Greek-American Orthodox / wife, non-Greek Roman Catholic / child Roman Catholic;
- c) husband, Greek-Canadian Orthodox / wife, non-Greek Roman Catholic / no children;
- d) wife, Greek-Born Orthodox / husband, Protestant / children Orthodox;
- e) husband, Greek-Born Orthodox / wife, a non-Greek convert from Roman Catholicism / combined family, including non-Orthodox children and Orthodox children;
- f) husband, Roman Catholic / wife, Greek-American Orthodox / children, Orthodox;
- g) husband, Greek-American Orthodox / wife, non-Greek Protestant / combined family, including Protestant, Roman Catholic and Orthodox children.

Later, birth-Orthodox of other ethnic traditions, such as Albanian and Serbian were attracted to the effort, as well as a couple both of whom were of Irish Catholic background. It also came to include as regular attendees a Greek Orthodox/Jewish couple. It was this sociological reality that formed a critical context in the planning and conceptualization of the new parish.

Bishop M. and the "Organizing Committee" reflected for about a year on what such a new parish should be and how it could function. Slowly, a vision began to be formed. First, it had to be a parish, in that it was to serve

primarily a given geographical area, not presently having a Greek Orthodox parish in it. In addition, it had to be a parish that was open and accessible to all persons involved in mixed marriages, as much as that was possible. Further, it must keep the canonical order regarding the sacramental life of the Orthodox Church which holds to the limitation of participation in the Eucharist and other sacraments by Orthodox who are in good ecclesial standing, while at the same time providing a participatory and welcoming environment for non-Orthodox family members. Finally, it would be primarily focused on English speaking persons.¹⁹

In October of 1991 a meeting was announced in the press by the Diocese to be held at the diocese on November 17, and to be chaired by the chancellor of the diocese in order to "consider establishment of (a) New Parish." It was stated that "Parish would seek to reach out to the unchurched in (the defined) area—especially but not exclusively—those whose mother tongue is English."²⁰ Prior to the November 17, 1991 meeting this statement was revised by the chancellor and the "Interim Organizing Committee" with the approval of the bishop into a "Mission Statement" for the emerging parish, which included reference as well to "those of inter-faith marriages."

The "mission statement," as presented at the November 17, 1991 meeting, now read as follows: "The primary goal of this Parish will be to serve the needs of Greek Orthodox Christians, converts, those of interfaith marriages, and the unchurched, especially, but not exclusively, those whose mother tongue is English."²¹ Subsequent news releases included this statement with the change of the word "goal" to "mission."²²

Organizational meetings were to be held at the diocese, a tentative name was adopted, the diocese address was used for the emerging parish. The concept attracted attention, and the parish attracted a wide range of religiously, culturally, maritally and familially disparate people. The required

¹⁹ In a letter dated August 7, 1991 Bishop M wrote a letter to the leader of the organizing group which spoke of the "establishment of a Greek Orthodox Community which will serve the needs of the Orthodox faithful in the geographic area included in the triangle. As per our discussion, the proposed parish would primarily reach out to American born Greek Orthodox and converts whose mother tongue is English."

²⁰ *The Hellenic Chronicle* (Oct. 31, 1991), 1.

²¹ "Informational Meeting For Formation of a New Parish - November 17, 1991," and "Letter of Minutes of Meeting of November 17, 1991 - February 6, 1992."

signatures were obtained and the process for formal recognition of the parish began. A series of informational meetings followed, with the appointment of a part-time priest announced by Bishop M. in a letter dated April 16, 1992. It was also emphasized that the parish was to serve all Orthodox persons within the geographic area. On May 10, 1992 the first Divine Liturgy was held. Subsequently, membership increased and the parish was granted a preliminary charter by the Archdiocese.

Though worship is conducted "especially, but not exclusively" in English, this is only one component in the parish character that has made it appealing to those in mixed marriages. Early on, emphasis was placed on an open and accepting spirit, in which people felt welcomed and accepted. Expressing this stance is the biblical verse chosen to be part of the "Sunday Bulletin" heading from Romans 15.7: "Welcome one another, therefore, as Christ has welcomed you, for the glory of God." The priest frequently reminds parishioners to "never fail to speak to new people who attend services," to welcome them, and then "to introduce them to another parishioner," before moving on. Cliques are strongly condemned. Recently, the parish conducted a "Name-Tag Sunday" so that new and old parishioners could "connect names with faces." Every Sunday, the Sunday Bulletin includes this item:

WELCOME! If you are attending (this church) for the first time we invite you, before leaving the Church today, to enter your name and address in the Guest Book in the narthex. You are welcome! We are a "singing Church" - the responses and hymns are sung by the congregation. We encourage you to sing along!

As can be noted from the concluding sentence of the "Welcome Statement," the "inclusive dimension" of the parish is furthered by the adoption of congregational singing as the primary way that worship is conducted, especially, though not exclusively, at the Sunday morning Divine Liturgy. No choir has been formed, but musical leadership is provided by a single "Music Director" in order to encourage participation in the worship by all members, Orthodox and non-Orthodox. New hymns are taught to the congregation periodically, and an effort is made to provide full texts of other services, as well, for the parishioners' use.

In conjunction with the emphasis on liturgical participation is a heavy

²² The diocese issued a press release with this change announcing an Open House at the first place of worship to be held on April 5, 1992.

emphasis on adult education in the parish. It begins with informative literature sent by the Membership Committee to persons who have visited the parish or otherwise indicated interest in the church. This assumes that all persons involved in the parish, Orthodox and non-Orthodox alike, need to learn about Orthodox faith and practice. This emphasis on education is critical to encourage family reinforcement of religious practice, especially when the spouses are not consciously informed about religious beliefs and practices, as George Melitis has pointed out in his article, "New Orientations of Family Religious Education in Greek Orthodoxy" even for non-mixed marriages in a traditional Orthodox country such as Greece.²³ The means used are periodic Inquirers' Classes, Pre-Marital and Pre-Baptismal instruction, Lenten Learning Series Programs before Pascha and Christmas, a Summer Learning Series, a Sunday Bulletin published weekly and a monthly parish bulletin of about 10 pages per issue sent to a mailing list of about 300 households, a Bible Class, a Brochure series enclosed periodically in the Sunday Bulletin and a strong Preaching ministry. Nearly all of these teaching programs have a liturgical connection.²⁴

A "Stewardship Program" that emphasizes voluntary commitment of time, talents and treasure has been adopted. Each calendar year begins with no Stewardship members. Each parishioner must make a new Stewardship Pledge for each year. Thus, membership is not continuing—it requires an annual decision on the part of the Stewards. No "minimum" and no "maximum" financial pledge is required to become a Steward, though people are informed that the parish must average about a dollar a day from each Steward in order to meet its financial needs. This procedure also fosters an open and inclusive spirit to the parish. For 1993, the smallest annual Stewardship Pledge was \$10. The largest, was \$2,500, the average was slightly over \$400.

All meetings in the parish are open to all Stewards, but in practice anyone is allowed to attend any meeting. There is a wide range of parish committees—twenty-seven in number²⁵—with wide participation and involvement. Non-Orthodox partners in mixed marriages are encouraged to participate in committee activities, though all major policy decisions must

²³ *Lumen Vitae* 27:4 (1972) 647 - 654.

²⁴ For some ideas on this, see Stanley S. Harakas, "The Teaching Function of the Liturgy," in *The Pastor as Teacher* Ed. by Earl E. Shelp and Ronald H. Sunderland. (New York, 1989), Ch. 4, 81-106.

be approved by the Parish Council. The parish priest frequently attends meetings and is regularly consulted on numerous aspects of committee work. This wide participation by parishioners and others in parish committees also emphasizes the inclusive character of the ethos of the parish.²⁶

On the other hand, the publications and policies of the parish make a clear demarcation between those Stewards and parishioners who are baptized and confirmed members of the Orthodox Church and those who are not. The literature frequently makes mention of the privileges of membership by Orthodox, such as "Sponsorship" at Baptisms and Weddings. Periodically, the "Mission Statement" described above is printed in the parish publications. Orthodox liturgical traditions are frequently explained and presented as uniquely Orthodox practices. Periodically a statement about who can and who cannot receive Holy Communion is published in the Sunday Bulletin. The policy statement seeks to preserve Orthodox ecclesial integrity, accompanied by a welcoming and participatory spirit. It reads as follows:

ORTHODOX COMMUNION POLICY: Visitors, please note that it is the policy of the Orthodox Church to administer Holy Communion only to baptized and chrismated Orthodox Christians who are in spiritual good order with the Orthodox Church. Those who are not members of the Orthodox Church, however, are encouraged to attend, pray and sing during the Divine Liturgy and share in the work and fellowship of (this) church.

Further, in regard to the Greek Orthodox ecclesial identity, the mission statement has been editorially expanded to include more specific reference to the Orthodox canonical and ecclesial identity of the parish. This expanded mission statement is periodically published in the Sunday Bulletin.²⁷ The expanded mission statement explicitly identifies the parish as a

²⁵The Committees are, in addition to the Parish Council: Audit, Finance, Building Program, Building Program Finance, Building Program Building, Building Program Fund Raising, Special Events, Fundraising, Stewardship, Membership, Sunday School, Adult Education, Learning Series, Bible Class, Lay Ministry of Caring, Youth Committee, Office Volunteers, Church Publications, Mailing, Computer Program, By-Laws, Election, Food Bank, Bookmobile, Altar/Sacristan, Field Education Supervision, Flowers, Welcoming, Sunshine, Prosforon, Music, Acolytes, Clean-up, Coffee Hour.

²⁶For some Orthodox reflection on lay leadership roles in the Orthodox ethos, see Stanley S. Harakas, "Exploring Issues of Lay Leadership in the Orthodox Church," *Orthodox People Together*. Part One, 2, 2, (Spring 1990), 8-9.

Greek Orthodox Parish, under the jurisdiction of a Greek Orthodox bishop and chartered by the Greek Orthodox Archdiocese of North and South America.

As far as specifically Greek ethnic identity is concerned, it is present, but muted. In a brochure distributed by mail to inquirers about the parish, and to those who sign the guest book before and after worship services, there are about the only references one finds to the Greek component of parish life. The brochure, titled "What's Special About (blank) Parish," presents the parish as having a full range of parish life and services. It also includes the following statement under the heading Language: "We use both English and Greek in our Services, but the proportion of English used in our parish is larger than in other parishes in the area (about 85% - priest and congregation.) That's one of the things that attracts people to our church. Many families, in which one of the spouses is not Orthodox, come here because all can understand the services and pray and sing together with their children."

The brochure addresses the cultural issue head on. Under the heading "Cultural Background" it says:

We are a parish of the Greek Orthodox Archdiocese. The majority of our members are Americans of Greek descent. But many are not. We welcome all persons interested in worshipping with us regardless of national background. That is one of the reasons we conduct the larger portion of the Services in English, thus encouraging participation by persons who have little or no knowledge of Greek, but we also use some Greek in the services, thereby contributing to helping maintain the cultural traditions of the majority of the members.

This statement, however, ends with the following sentence: "The focus, however, is on serving the spiritual needs of all who attend." The priest seeks to maintain good personal contacts with the non-Orthodox spouse and is available for counseling and spiritual ministry where that is sought.²⁸

²⁷ The full text is: "OUR MISSION: The mission of (deleted) parish is to serve the religious and spiritual needs of all Greek Orthodox Christians, converts, those of inter-faith marriages, and the unchurched living in the (deleted) area, and especially, though not exclusively, those whose mother tongue is English. The (Deleted) parish has been granted a Charter by the Greek Orthodox Archdiocese of N. & S. America under the sponsorship and direction of His Grace, Bishop M. of the Diocese of (deleted). We are presently using leased space and are actively seeking a permanent location in this area for our Church and facilities.

We can conclude these comments about the ethnic dimension of the parish by placing them within the larger context of the vision of the parish which ends the brochure and is an expression of the dominant ethos of the parish:

VISION:

Our vision for (this) Parish is to fulfill our mission of outreach to the un-churched. We anticipate keeping the spirit of a small, close knit, accepting and friendly parish that focuses on the Orthodox Christian liturgical and spiritual life in an outreach of service to the people in our area. We hope to become the spiritual home of all the Orthodox people in our designated area who are looking for a parish that emphasizes liturgical participation, spiritual growth, a full range of educational programs and ministries of service and outreach.

What has been the result of this approach? Steady growth, requiring a move from a chapel-sized Church seating about 75 worshipers to a leased site of about 7,000 square feet, with classrooms and office space and a sanctuary seating about 150 worshipers, which then had to be expanded to accommodate 220 worshipers. The Sunday School now has 84 children enrolled with a staff of about 15 teachers and assistants.

Finding ways either to build or purchase a permanent site has become an important priority, with the election of a Building Program Coordinator at the General Meeting of the Parish in March of 1994.

In 1993 there were one hundred and thirty one Stewards, each representing either a family, or a single or widowed or single divorced person. A Parish Household Questionnaire is in the process of being completed in the Parish. Preliminary results indicate that about 36% of the Stewards are in households where both husband and wife are birth-Orthodox; 20% are single, widowed or divorced birth-Orthodox, for a total of 56% birth-Orthodox. The remaining 44% of the Stewards of the parish are in mixed marriages of which 24% are mixed-marriages in which the wife is a birth-Orthodox Christian and 20% of the Stewards are mixed-marriages in which the husband is the birth-Orthodox. Since some of the widowed or divorced single members were formerly married to non-Orthodox spouses, these

²⁸ A discussion of ministry to partners in ecumenical marriages and families can be found in Peter P. Dora, "Mutual Care and Commitment: A Ministry To Ecumenical Families," *Journal of Ecumenical Studies* 16(4), (1979), 629 - 642. The article advocates that a pastoral plan should make Christ the center, prayer primary, and include a program of ecumenical religious education.

figures should not be seen as a fully accurate description of the parish composition. It would be a fair estimate to say that about 50% of the parish is or has been personally involved in some way or another in a mixed-marriage situation, including the children born into those inter-faith marriages.

Mixed marriage families in the parish make several different accommodations to the ecclesial realities involved in Ecumenical Marriages.²⁹ In some cases, the non-Orthodox member has converted to the Orthodox Faith. While this is welcomed, every effort is made not to give the impression that conversion is the single-minded goal of the parish. In some cases, the mixed-marriage spouses attend their two churches on alternate Sundays. In one case, the Orthodox spouse receives Holy Communion nearly every Sunday when the couple attends the Orthodox Church. The assumption is that the reverse takes place in the non-Orthodox spouse's church. In most cases, the non-Orthodox spouse accompanies the Orthodox spouse to the church on a regular basis, participating in the worship by singing the responses, coming forward for Antidoron, kissing the cross, and other such liturgical actions.

On the other hand, the presence of non-Orthodox spouses actively present in the parish has provoked the Orthodox spouses often to be more interested in worship participation, more eager to affirm in practice their own Orthodox religious commitment and to become more consciously Orthodox Christian, than might have been otherwise the case.³⁰

CONCLUDING OBSERVATIONS

The effort of the parish in question to respond to the need of mixed marriages by whole-heartedly accepting the concept that these marriages are an opportunity, rather than a problem, has meant some changes in the form and dynamics as compared to the traditional Greek Orthodox parish in the United States.

²⁹ For some additional reflection on Ecumenical Marriages, see Stanley S. Harakas, "An Eastern Orthodox Approach to Marriage in an Ecumenical Context," *Ecumenism* (Montreal, 1993), 109, March, 1993, 24-27.

³⁰ This is not an unusual phenomenon. See Taylor McConnell and June McConnell, "Researching Family Ministries Through Cross-Cultural Education," *Quarterly Review* 1982, vol. 2(4), pp. 73 - 86. See also their study "Cross-Cultural Ministry with Church and Family: The Final Report of a Research Project," *Religious Education* 86, 4, (1991), 581- 596.

The inclusive and participatory tone has been significantly increased, with the focus on active participation in Orthodox Christian liturgical life, learning and practice. Conversely, the exclusive or predominant Greek ethnic character of the traditional Greek Orthodox parish has been significantly toned down. Yet, in a paradoxical way, liturgical participation by all present means that both Orthodox and non-Orthodox actually sing 100% more Greek hymns at this parish than do those birth-Greek Orthodox who worship in traditional parishes where the congregation is silent and all the singing is done by either choir or psaltis.

Evidence seems to indicate at this early stage of parish development that this approach is succeeding in some measure to attract and retain ecumenical inter-faith marriages and families as part of the Church.

It indicates that some Orthodox Christians who are involved in inter-faith ecumenical marriages and families can find an Orthodox Christian church home that is inclusive and accepting. A parish such as this can thus encourage shared worship and affiliation of partners in ecumenical families in the Orthodox Church, thus helping the birth-Orthodox to remain in the Church. Further, it seems to have provoked even greater commitment and definite identity selection by birth-Orthodox precisely because a viable alternative is provided for the interfaith family to worship comfortably in an Orthodox church. It has also proven to facilitate conversions wherever that is deemed fitting and appropriate. Concurrently it has done this without fostering an antagonistic stance toward Greek ethnic and cultural identity.

But most importantly, for all in the parish, it has served to focus attention on the central importance of religious life and spiritual growth.

What can one say of the relevance of such a parish for the majority of parishes that do not have such a mission statement and that must minister to differently defined, more traditional social realities, that is, either the main-line Greek-American parish or the new immigrant parish? One thing, it would seem, stands out. Given the exercise of a policy of *Oikonomia* allowing for interfaith marriages, existing traditional parishes should not foster a negative and inhospitable attitude toward non-Orthodox spouses in a mixed marriage. The theme of welcome and acceptance in the spirit of genuine Christian love is essential.

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Ethical Teachings in the Canons of the Penthekte Council

STANLEY SAMUEL HARAKAS

INTRODUCTION

The purpose of this paper is to assess the ethical teachings in the 102 canons of the Penthekte Ecumenical Council. I propose to do this by first sketching the categories of ethical analysis that will guide this study. The second part of the paper will outline the direction given by the Penthekte regarding ethical behavior, as survey in short of the "praxis" dimension of the Church's ethics. The third part will treat with several canons seeking to analyze the methods of ethical judgment used by the fathers of the council. The final part asks the question regarding the potential of Penthekte's ethical teaching for providing guidance in addressing issues of ecclesial reform. It is, of course, not possible to address every possible ethical teaching and nuanced methodological position in the time available to us for this presentation, so a certain selectivity in the treatment of the canons at hand is necessary.

Categories of Ethical Analysis

In the Orthodox tradition, the normative discipline of ethics is rooted in the doctrinal, ecclesial, scriptural, patristic liturgical, pastoral and canonical life of the Church.¹ A convenient way of delineating the ethical approach of Orthodox Christianity is to understand it as a normative discipline whose

¹ Panagiotēs Demetropoulos, *Ὁρθόδοξος χριστιανική ἠθική* (Athens, 1970) ch. 1; Vigen Guroian, *Incarnate Love: Essays on Orthodox Ethics* (Notre Dame, 1988) ch. 1; Stanley Harakas, *Toward Transfigured Life: The Theoria of Eastern Orthodox Ethics* (Minneapolis, 1983) ch. 2; George Mantzarides, *Χριστιανική ἠθική* (3rd. ed., Thessalonike, 1991) pp. 59-87; Nicholas E. Mitsopoulos, *Θέματα χριστιανικῆς ἠθικῆς θεολογίας* (Athens, 1983) 1, pp. 51-83.

standards provide both concrete direction for behavior (i.e., the "praxis") and also, a decision-making methodology for developing moral norms and standards for the Christian life.

In reference to the methodological dimension of ethics, previous studies have shown how in addition to drawing on doctrinal teachings, precedents indicated by Scripture, the writings of the church fathers, conciliar decisions, established liturgical practices and other ecclesial sources, the tradition also uses a number of clearly ethical categories.² There is an understanding in the tradition that eschews a literalistic, legalistic approach. Throughout, there is an appreciation that discernment, illumined by spiritual wisdom, is necessary for living the Christian life, and by extension, exercising ethical judgment. That wisdom, especially in regard to ethical decision-making will take into account existing laws and rules. Of course, it will evaluate potential or experienced consequences of different courses of action assessing both good and evil results of actions. In many cases it will focus on the intent of an action or a proposed rule, looking, that is, to what end is being sought by the particular ethical directive. Because good ends may be intended for wrong motivations, in decision-making will also assess the underlying emotions that drive the intentions for the acts that follow.

Another decision-making consideration is the appropriateness of the means used to the ends envisioned by a specific moral imperative; means and ends should be appropriate to each other. Often, these considerations form constellations of values and/or disvalues that require their comparison and ranking in a hierarchy. Not the least concern is also the perception of the situation and its impact on decision-making. Finally, the conciliar character of all ethical deliberation in the Church is a function of its ecclesiology. We see nearly all of these at work in the canons of the Penthekte Ecumenical Council and much of what follows in this study will illustrate these dimensions of ethical decision-making in the language of the council's canons themselves.

However, for Orthodox ethics there is one over arching set of affirmations that define the ethical enterprise parameters. The source of the Good, in fact, the Good itself, is the Triune God. In the divine economy of salvation, the redemptive work of Jesus Christ and the sanctifying work of the Holy Spirit, made available in the Church reform, renewal, and growth of humanity in the image and likeness of God. One of the canons of the

² See Harakas, *Toward Transfigured Life*, ch. 9.

Penthekte articulates a version of this soteriological context of Orthodox Christian ethics. It is worth quoting the canon to indicate that this foundational Orthodox approach is promulgated by this Synod. As is the case with all the canons, there is a specific purpose that governs the concrete expression in this canon, which is: unnecessary and excessive personal adornment especially in reference to the embellishment of the hair. Nevertheless the soteriological basis for the Christian's moral life is made explicit in the 96th canon of the Penthekte and could easily be applied to the whole of ethical concerns.

Those who by baptism have put on Christ have professed that they will copy his manner of life which he led in the flesh. Those therefore who adorn and arrange their hair to the detriment of those who see them, that is by cunningly devised intertwinings, and by this means put a bait in the way of unstable souls, we take in hand to cure paternally with suitable punishment: training them and teaching them to live soberly, in order that having laid aside the deceit and vanity of material things, they may give their minds continually to a life which is blessed and free from mischief, and have their conversation in fear, pure and holy; and thus come as near as possible to God through their purity of life; and adorn the inner man rather than the outer, and that with virtues, and good and blameless manners, so that they leave in themselves no remains of the dark-shadows of the adversary. But if any shall act contrary to the present canon let him be cut off.³

The canon puts the moral life of believers in the context of baptism. Important are the contrasts between "putting on Christ" on the one hand and "laying aside the deceit and vanity of material things," on the other. This comparison reflects the dialogue of the Catechesis in which the candidate for baptism rejects the devil and his pomp and, conversely, commits him or her self to unity with Christ. The "putting on of Christ" of baptism (Rom 6) is given an ethical application. First, imitation of Christ and "cunningly devised intertwinings" of the hair are seen as incompatible and disharmonious with one another. The category of the appeal here is to their unfitness, their mutual inappropriateness.

The canon also sees as implicit in this inappropriate behavior an intent and an implied motive. It says, "by this means (these persons) put a bait in the way of unstable souls." (πρός λύμην τῶν ὁρόντων. . . δελεία

³ *Nicene and Post-Nicene Fathers of the Christian Church*, 2nd series, *The Seven Ecumenical Councils* (Grand Rapids, 1971) 14, p. 406.

προσπιθέντες ἐντεῦθεν).⁴ Were the word "bait" (δελέαρ) not used, the passage might simply be understood as descriptive, i.e., such adornings of the hair cause some weak into immorality. However, the use of this term indicates an intended result, the moral destruction of another. So Nikodemos understands it in his comment on the passage: "... like a lure designed to attract those souls who are unsteady and easily induced to sin" (... ὥσαν ἓνα δόλωμα εἰς τοὺς ἀστηρίκτους καὶ εὐκολοκρημνίστους εἰς τὴν ἁμαρτίαν ψυχάς).⁵ It also carries the strong implication that the act is incited by a motive unworthy of a person baptized in Christ and called to imitate Him.

The fathers of the council also justify their proposed sanctions on the basis of their responsibility to "train and teach" Christians to live soberly (παιδαγωγοῦντες αὐτῶν καὶ σοφρὸνως βιοῦν ἐκδιδάσκοντες).⁶ This sober living has as its intent, that the Christians in their care "may give their minds continually to a life which is blessed and free from mischief" (τὴν ἐκ τῆς ὕλης ἀπάτην καὶ ματαιότητα) and (that they) have their conversation in fear, pure and holy" (ἐν φόβῳ ἀγνὴν ἔχειν ἀναστροφὴν).⁷ This language points to the Christian's struggle to avoid evil and, with reverence for God, to live a holy and ethical life.

The 96th canon proceeds to articulate what is at the heart of the Orthodox Christian ethic: communion with God in the wholeness of life, a transformation of the inner person, and an overt way of life that is in harmony with the inner person who is in communion with God, and as disassociated with evil as is possible. In Orthodox ethics, this is termed God-likeness, or θέωσις. The words themselves are strikingly ethical in character: the goal is that Christians "may come as near as possible to God through their purity of life; and adorn the inner man rather than the outer," (a reference to the braided hair) "with virtues and good and blameless manners (κοσμεῖν ἀρεταῖς, καὶ χρηστοῖς καὶ ἀμώμοις), so that they leave in themselves no remains of the left-handedness of the adversary (τῆς ἐναντίου σκαιότητος)."⁸

Perhaps the foundational principles expressed and discussed here are

⁴For the Greek text used in this paper see Agaprios the Monk and Saint Nikodemos the Hagiorite (eds.), *Πηδάλιον τῆς νοητῆς νηὸς τῆς μᾶς ἀγίας καθολικῆς καὶ ἀποστολικῆς τῶν Ὁρθοδόξων Ἐκκλησίας ἥτοι Ἄπαντες οἱ ἱεροὶ καὶ θεοὶ Κανόνες* (3rd. ed., Thessalonike, 1982). This canon is found on pages 305-6.

⁵Ibid. p. 305.

⁶Ibid. p. 306.

⁷Ibid.

⁸Ibid.

best summarized by the first sentence of the first canon of the Penthekte Synod: "That order is best of all which makes every word and act begin and end in God."⁹

Norms for Ethical Behavior

As canons, the texts are designed to address practical questions and to give direction for action and behavior in brief and succinct ways. It should not surprise us that administrative issues are addressed by canons. But topics usually identified as ethical are also frequently addressed by the canons. They do this in various ways that indicate approval and endorsement of certain kinds of behavior. On the other hand, other kinds of behaviors are criticized and condemned, indicating their moral impropriety. When language is used that either praises or condemns specific behaviors, it is understood by ethicists as being "emotive" in nature. That is, the approval or approbation is a way of articulating not only that it is good and right and appropriate, but that it also ought to be done. Conversely, disapproval or condemnation of a specific behavior is a clearly recognized way of instructing others that it is wrong and that it ought not to be practiced. When the description of these behaviors are accompanied by sanctions, i.e., rewards for approved behavior and punishments for disapproved behavior, the issue moves from the ethical to the canonical or legal.

My intent in this section is to document the range of topics dealt with in the 102 canons of the Penthekte that have some affinity with the expression of norms in ethics. Sometimes it is only the topics themselves that have an ethical connection. More often, the canons clearly proscribe certain kinds of behaviors as not appropriate or as unfitting for the Christian life-style. For example, the undue and inappropriate attention to hair styling, especially when accompanied by an evilly inspired intent to trap the unsuspecting to commit unethical behavior, as we saw, was condemned in the 96th canon of the council.

There are numerous other examples of such ethically normative canons. Some topics are addressed more than once. Thus, marriage, adultery, and fornication are frequently addressed issues. Clearly, these topics have numerous aspects to them. Yet, whenever good and bad, right and wrong, and fitting and unfitting behaviors, intents, motives and other ethical dimensions are present in the treatment of them by particular canons, we are in

⁹Ibid. p. 359.

the sphere of ethics. Thus, issues such as the second marriages of clergy, or clergy with concubines, dealt with in canon 3 have an ethical dimension that can inform other judgments. Canon 4 deposes a clergyman who has intercourse with a nun. Canon 5 prohibits even the appearance of impropriety between a clergyman and a maid or housekeeper.

The well-known discussion in canon 13 of the council supporting the ordination of married men to the diaconate and the priesthood in the face of the then rising western tendencies to impose clerical celibacy does more than make or re-affirm a rule. It provides some important elements for the understanding of sexuality in the Eastern Christian perspective as I recently showed in my study on health and medicine in the Church's life.¹⁰

Appropriate and decorous relationships of the sexes are indicated in the 47th canon in which monks are prohibited from staying overnight in women's monasteries and visa versa. The reason given is that the faithful be both "without offense" and that the persons in question be careful not to provoke scandal (παντός γὰρ προσκόμματος καὶ σκανδάλου ἕξω εἶναι δεῖ τοὺς πιστοὺς). On the other hand, this is also said so that believers should govern their lives in a way that is fitting and acceptable to the Lord (καὶ πρὸς τὸ εὐσχημον καὶ εὐπρόσδεκτον τῷ Κυρίῳ, τὸν ἑαυτῶν εὐθετίζειν βίον).¹¹ Canons 53 and 54 address the issue of incest, both on the physical level and in reference to spiritual relationship. Mixed sex bathing is condemned in canon 77. Pimping, i.e., the procuring of harlots or the maintaining of whore houses is described as a soul-destroying practice, and is condemned in canon 85. Adultery by either husband or wife is condemned and dealt with in canon 87. Canon 92 severely condemns the violation of women who are raped and forced into marriage. Sexual intercourse between spouses in or around churches or sacred establishments, "making sacred places common," is condemned by the 97th canon. The violation of a woman who is betrothed to another is equated with an act of adultery by the perpetrator in canon 98.

But the canons of the Penthekte also deal with ethical matters other than those related to marital and sexual morality. These are many and varied. Again, a listing of these themes displays a wide range of topics usually judged ethical in character that are addressed by this council.

Thus, equality of access to the possibility of ordination is affirmed by 33rd canon's rejection of the legitimacy of a priestly class based on genea-

¹⁰ Stanley Harakas, *Health and Medicine in the Eastern Orthodox Tradition* (New York, 1990), pp. 123-27.

¹¹ *Πηδάλιον*, p. 263. The text reads εὐπρόσδεκτον, for εὐπρόσδεκτον. The latter is clearly implied in the text.

logical inheritance. This canon could, by analogy, also be understood as a rejection of inherited privilege in other social relationships.

Vices and wrong behaviors censured by the Penthekte's canons include arrogance in canon 7, usury in canon 10, insolence and disobedience on the part of clergy in canon 17, the purchase of ordination through simony in canon 22, or the sale of Holy Communion in canon 23. In the 24th canon clergy and monks are prohibited from taking part in horse races, or to assist at theatrical presentations, which were understood almost invariably to be lewd and immoral in character.¹²

Appropriate clothing is a topic of concern in canon 27; involvement by clergy in conspiracies or in secret societies is condemned in canon 36. The expropriation of private property by others after the death of the owner is the subject of canon 35. Appropriate and fitting behavior for hermits in regard to their style of life and associations is the concern of canon 42.

Other subjects dealt with are fornication (canon 44); the use of monastic properties (canon 49); dice-playing and gambling (canon 50); public spectacles such as the theater and the arena (canon 51); appropriate clergy-lay relations (canons 58, 64 and 69); superstitious practices such as fortune-telling and soothsaying (canons 61 and 65).

Pagan customs and related public dances by women, "which may do much harm and mischief" as well as the pagan festival practice of the wearing of women's clothing by men and *visa versa* are condemned by canons 62 and 65. A special prohibition of horse-racing and public spectacles during Bright Week is ordered by canon 66. Brief note is taken of the professional ethics of lawyers in canon 71. Other canons deal with topics such as the manumission of slaves (canon 85), oath-taking (canon 94), and pornography in canon 100.

In short, the canons of the Penthekte Synod deal with a wide range of topics that can be approached and understood ethically, as well as in others ways. As such they show that the canon law of the Church can provide data for ethics, providing a witness to the teaching of the Church in history on numerous perennial topics of concern relating to the living of the Christian life in the journey of growth toward God-likeness.

Method for Ethical Judgment

The value of the canons of the Penthekte Ecumenical Council for Orthodox Christian ethics, however, is not restricted to the listing of ethical

¹² Panagiotes Demetropoulos, *Ἡ πίστις τῆς ἀρχαίας Ἐκκλησίας* (Athens, 1959).

topics. The rationale and moral reasoning often expressed in these canons is important. In this paper, I am limiting myself to the texts of the canons themselves, by not introducing reflections indicating ethical method from commentaries on the canons. I wish, as much as possible, for the canons themselves to provide insight on ethical methods for evaluation and judgment. The practical import of this study should be evident. While circumstances inevitably change, there should be some concrete guidance for today and every age in the methods used by the fathers of the Penthekte Council, as they as they give reasons for ethical decisions that they make.

Ethical method, as indicated above, is rooted in the whole tradition of faith. Thus, for example, appeals to the authority of passages of Scripture, a patristic view or a previous council is an appeal to authority. An argument based on a doctrinal teaching is more than an appeal to authority. It draws the practical ethical judgment out of the Church's world view, its *weltanschauung*, or *κοσμοθεωρία*.

Analysis of the canons will discern other kinds of arguments appealing to existing laws, canons or rules. Elsewhere, there can be assessments of the potential actual good and evil consequences of a chosen course of action. In other places, the intentions for desired ends might be expressed. Often, as we saw above, motives

can be addressed by a canon. Included in methodological concerns are the means approved or disapproved in relationship to the accomplishment of desired ends. Sometimes the moral issues are cast in terms of values and disvalues. Often, ethical method must take into account the perception of the situation. The canons themselves provide evidence of the view that ethical decision-making should be a ecclesial and corporate process.¹³

To illustrate the methodology of ethical decision-making in the canons of the Penthekte Ecumenical Council, we will examine three distinct methodological expressions to be found in its canons, the first deals with intent and motive in decision-making.

Intent and Motive

In several of the canons, the discussion of an issue turns on the question of intent. Intent indicates the end result for which an act is undertaken. Motive is distinguished from intent since it is the emotional drive by which the person is impelled to select the desired end result of his or her actions. Thus, for example, in canon 41 the topic regards "those who in town or in

¹³ See Harakas, *Toward Transfigured Life*, p. 37 and ch. 9.

villages wish to go away to cloisters," to become monks or nuns. The canon tests the intention of the candidates by ordering a three year period of full obedience to the hegoumenos of the monastery, fulfilling "obedience in all things." The purpose of this period of testing is that the monastic candidates show clearly "their choice of this life, that they embrace it willingly, and do so with their whole hearts."¹⁴

Once this has been accomplished the candidates are to be examined concerning their experience, i.e., whether they still intend to be monastics. But then, the canon requires that the candidate leave the monastery for an additional year. The justification given by the canon for this part of the testing of the candidate is illuminating: "so that their purpose may be fully manifested." This is an "intent statement." It seeks to clarify the end that is to be accomplished. However, the canon proceeds to add the issue of motive to the directive. The extra year is also required "for by this they will show fully and perfectly that they are not catching at vain glory, but that they are pursuing the life of solitude because of its inherent beauty and honor." The motivating forces of egoistic satisfaction and prideful self-projection and the desire for attention are thus shown to be unworthy motives for entry into the monastic life. However, attraction to the inherent quality of the monastic calling, is seen as an acceptable motive. Both the intent and the motives must be right for the decision to be proper and acceptable.

The canon then directs: "After the completion of such a period, if they remain in the same intention in their choice of life, they are to be enclosed" in the monastery. Critical, then, to the proper procedure for entry into the monastery is an intent to fulfill the monastic calling, and the appropriate and fitting motive toward that purpose. This is a methodological concern that is applicable to any specific situation in any age and time.

Circumstances

A second area of decision-making concerns that we discover in the canons of the Penthekte, is a consideration of circumstances. When circumstances are given weight in decision-making, a dimension is given to the canons as rules that avoids legalism. Legalism is a mentality that fosters a blind and literal conformance to rules and laws "as a means of justification"¹⁵ and which one might expect to be congenial to those consulting the canons themselves. It is interesting to note that these self-same canons, however, are not cast in legalistic terms! Present in them is a fre-

¹⁴ *Nicene and Post-Nicene Fathers*, p. 385.

¹⁵ From the entry on "legalism" in *Webster's New Collegiate Dictionary* (Springfield, MA., 1953), p. 480.

quently expressed flexibility of application. Often rules set down are modified according to varying circumstances in which the canon is to be applied. There are numerous examples.

We could begin with canon 41 of the Penthekte which was just examined regarding its use of the categories of intent and motive. This canon sets down a rule that the monastic, once having been tested rigorously regarding intent and motive, is then accepted into the monastery into which he or she is "enclosed." The canon adds that it is "no longer lawful for them to go out of such a house when they so desire." The rule is clear and, as the canon subsequently shows, its violation is to be severely punished. Such violators are "first of all to be shut up in the said convent even against their wills, and then cure themselves with fasting and other afflictions."

Nevertheless, there are exceptions which can justify a monastic departing from the monastery. But the reasons must be important. Circumstances, in short, may require that the rule be relaxed for a time. It is interesting to note the characteristics ascribed to such circumstances in canon 41. The first reason (πρόφασις) given is based on a hierarchy of values approach. Monastics must not leave the monastery, "unless they be induced to do so for the common advantage." The focus moves from the intent and motives of the monk to those of the community. The use of the word "induced" implies a reluctance of both intent and motive on the part of the monastic in question. One envisages an effort of persuasion on the part of the community to convince the reluctant monastic that it is necessary for the well-being of the whole monastic establishment, that he or she leave the monastery to perform some function on behalf of the community. In this case, the "common advantage" stands above obedience to the strict letter of the canon in a hierarchy of values.

The other circumstance, in addition to the common advantage of the community, that might justify the monastic for breaking the rule of enclosure, according to the 41st canon, is some "other pressing necessity urging on death" (ἑτέρα ἀνάγκη πρὸς θάνατον αὐτοὺς βιαζομένην), that is, a situation that threatens the lives of the monastics. This, of course, places the rule that monastics stay in their establishments in conjunction with a life or death situation. In this case, the higher value of the protection of life indicates a justified exception to the rule. In a similar canon (canon 46) the exodus from the monastery is permitted to a monk only on account of "urgent necessity" (χρείας ἐπιγούσης).¹⁶

¹⁶ *Nicene and Post-Nicene Fathers*, p. 373. Πηδάλιον, pp. 262-63.

There is one more point about how circumstances may govern the exception to the rule in this canon. Canon 41 proceeds the final decision neither in the individual monastic's choice, nor even in the decision of the community. An impartial judge from outside the monastery legitimates the decision. The monastic can leave the monastery after the community convinces him or her of the need, and it conveys the corporate decision to the local bishop for confirmation. All this can take place, "and then only with the blessing of the bishop of that place." So the judgment of an exception is not left exclusively to the interested parties. It expects that when circumstances require a relaxation of the rule, that a disinterested agent evaluated the issue and confirm the decision. In the case of canon 46, permission may be granted to a nun to leave her convent if "any inexorable necessity (ἀπαράιτητος ἀνάγκη) compels" but only by the *καθηγουμένη*, and under the condition that the nun leave the monastery accompanied by an elder sister.

In canon 40¹⁷ there is a discussion of the sorts of considerations that should be addressed by a monastic superior in judging whether a person is a suitable candidate for the monastic calling. Among these are an assessment of the level of discretion (γνώμης καὶ κρίσεως) of the candidate and "analogy and proportion" to similar circumstances. Among the circumstances affecting the decision is the general state of the Church's spiritual life. A less stringent rule was called for in history, according to canon 40, precisely because of the subsequent "firmness and stability of the faithful in observing the divine commandments." The procedure seems to be based on the principle that the most genuine commitment to the Christian calling, the less need there is for the articulation of rules. Canon 40 ends with an interesting intent of the fathers of the council in reference to such candidates. They make their canon to encourage candidates to make a decision, "inciting (them) to the choice and determination of the good" (πρὸς τὴν τοῦ ἀγαθοῦ παρορμῶντες ἐκλογὴν καὶ κατάστασιν).¹⁸

Other canons that point to the importance of circumstances in relationship to ethical decision-making are the 38th where a rule is made about bishops expelled from their sees by barbarian invasions. The canon affirms that the rights and responsibilities of these bishops remain intact, even when circumstances make the exercise of them difficult to execute, and in some cases impossible to fulfill.¹⁹ A similar point is addressed by canon 17 which admonishes clergy to return to their posts when the bar-

¹⁷ *Nicene and Post-Nicene Fathers* p. 384, *Πηδάλιον*, p. 254-55.

¹⁸ The translation is slightly modified.

¹⁹ *Nicene and Post-Nicene Fathers*, p. 382.

barians leave the area from which they have escaped, but in which they have been appointed to serve. They are not to be accepted by other bishops, nor "to be registered in the clergy list of another church."²⁰ The circumstances allow for the clergyman to abandon his post, presumably to protect his life, but when the circumstances change, they lose their justifying force.

Canon 30 addresses the issue of clergy, who for the sake of "piety and religion" give up sexual relations with their wives, living with them. The fathers of the council base their decision on the circumstances. While tradition, embodied in the fifth Apostolic Canon, prohibits such a separation, the fathers of this council find it acceptable only if the separation is complete and irrevocable. Continued cohabitation, even without sexual relations is unacceptable. The circumstance that permits this, apparently western deviation from accepted norms is expressed thusly: "We have conceded this to them on no other ground than their narrowness, and foreign and unsettled manners."²¹ Apparently, the mental attitude of the individuals involved and the different social circumstances was justification for some adjustment, even to a canon then thought to be apostolic in origin.

Circumstances also come to play in the requirement of canon 53 that a clergyman attend worship on Sunday, provided that "no very grave necessity nor difficult business" exists "to keep him from church." The conclusion is that such circumstances would also excuse an extended absence from church and that the sanction not be applied.²²

Fitting and Appropriate

A third, frequently used criterion for decision-making and judgment in the canons of the Penthekte, is the category of "appropriate and fitting." This way of approaching decision-making has an aesthetic character to it. As contrasted to styles of ethics that focus on "good and evil" categories, or "right and wrong" categories, an "appropriate or inappropriate" approach is generally more characteristic of the Orthodox way of doing ethics. It is much less a deduction from a philosophical or doctrinal principle, or an appeal to the authority of rules, or an assessment of consequences, than it is a judgment based on a sense of harmony and congruity. What is "fitting and appropriate" to the whole complex of values espoused by Orthodox Christianity is a central, though not exclusive, mode of thought for approaching ethical questions in Eastern Orthodoxy.

²⁰Ibid. p. 374.

²¹Ibid. p. 379.

²²Ibid. p. 400.

Thus the reason offered by canon 9 prohibiting clergy from maintaining a "public house," that is, a drinking establishment, is that if they are not allowed to even enter a tavern "much more is it forbidden to serve others in it and to carry on a trade which is unlawful to him." Thus, what is unfitting on a less intense level is all the more unacceptable when its application is more inclusive.²³ Likewise, in canon 8, Bishops can choose times for the provincial synod meetings, according to what is "most fitting" (κατὰ τὸν τρόπον . . . ὃν δοκιμάσει ὁ ἐπίσκοπος).²⁴

Canon 26 deals with the topic of a priest who unwittingly entered into an illegal marriage prior to his ordination. The canon instructs that he remain a priest and keep his seat, but . . . cannot serve any sacerdotal function nor bless others. The reasoning expresses a sense of the fitting. "For he is unfit to bless another who needs to take care of his own wounds, for blessing is the imparting of sanctification. But how can he impart this to another who does not possess it himself through a sin of ignorance?" The word translated "unfit" in this canon is "ἀνακόλουθον,"²⁵ which has a more rational character in itself, but the context gives it the more aesthetic dimension of fitting and unfitting.

Canon 64 likewise treats with what is appropriate for lay persons to do in the Church and what clergy should do. The argument, extensively biblical and patristic, under girding the canon appeals to a "τάξις" rooted in the organic structure of the Church in which each order has an appropriate and fitting place. This holistic approach has a certain sense of the fitting and appropriate to it. It asks, "Why do you make yourself a shepherd when you are a sheep?" in the face of a certain lay pretentiousness to function in the Church in ways that are not appropriate.²⁶

The last example of fitting and unfitting, appropriate and inappropriate approaches to decision making has to do with singing in the church services. It is short and is worth quoting in its entirety since the obvious aesthetic dimension of what is fitting and what is unfitting is so evident. Canon 75 reads:

We will that those whose office it is to sing in the churches do not use undisciplined vociferations, nor force nature to shouting, nor adopt any of those modes which are incongruous and unsuitable for the church: but that they offer the psalmody to God, who is the observer of secrets, with great

²³ *Nicene and Post-Nicene Fathers*, p. 369.

²⁴ *Πηδάλιον*, pp. 325-26.

²⁵ *Πηδάλιον*, p. 240.

²⁶ *Nicene and Post-Nicene Fathers*, p. 394. *Πηδάλιον*, p. 277.

attention and compunction. For the Sacred Oracle taught that the sons of Israel were to be pious.²⁷

Clearly, in the judgment of the fathers of the Penthekte, appropriate singing in church expresses "attention and compunction," and "piety." But undisciplined shoutings, unnaturally forced loud singing, or unfitting melodies are not appropriate to the church worship. The Greek refers to these as "τῶν μὴ (τῇ) ἐκκλησίᾳ ἁρμοδίων τε καὶ οἰκείων,"²⁸ phrases that fit perfectly the aesthetic of fitting and appropriate, unfitting and appropriate, unfitting and inappropriate category of ethical reasoning.

Other criteria, in addition to intent, circumstances and fittingness are, of course, appealed to in making judgments in the texts of the canons of the Penthekte Ecumenical Council. For example, there is an oft-repeated condemnation of practices judged to be pagan in origin and spirit in the canons of Penthekte. This is clearly a judgment based on the essential incongruity of the two religious traditions. For example, this takes place in canons 71²⁹ and 79.³⁰ There is also discernment shown about the exact belief systems held by heretics when they are received back into the Church, as indicated in canon 95. There, the precise manner the heretics are to be received is dependent on the proximity of their teachings to the Orthodox Faith.

In contrast to this rejection of pagan influences, is the appeal to the authority of the Scriptures and the Church Fathers. Throughout the canons, most notably in the 1st and 2nd canons, and subsequently in many others, there is an assumption of patristic authority in former synods and in the writings of specific Church Fathers for decision-making. Also, throughout the corpus of the canons of the Penthekte, there are frequent appeals to the authority of the Bible, both the Old and the New Testament. For example, in a canon that evangelically welcomes anyone of good intent to enter the monastic life, regardless of past life-style, a biblical quotation is the only justifying argument presented. Thus, canon 43 sanctions the acceptance of a candidate to the monastic life: "without regard to what faults he may have previously committed . . . we receive whoever approaches it sincerely." The reason and justification for this position is a biblical standard: "For God our Savior says, "Whoso cometh to me, I will in no wise cast out."³¹ Similar appeals of particularly ethical interest are

²⁷ *Nicene and Post-Nicene Fathers*, p. 398.

²⁸ *Πηδάλιον*, p. 285.

²⁹ *Nicene and Post-Nicene Fathers*, p. 397.

³⁰ *Ibid.* p. 399.

³¹ *Ibid.* p. 386.

found in canons 12,³² 61,³³ 64,³⁴ 65,³⁵ and elsewhere.

Ethical Norms and Method in Relationship to Reform

In the final section of this paper, I wish to discuss briefly the possible implications of this discussion for the possibility of Church reform. To do this, I believe a few words about the meaning of the canons as “rules” is prerequisite.

We can begin with an observation about appeals to authority in the canons themselves, particularly, with appeals to biblical and patristic authority. The appeal to scriptural standards or the opinion of Church Fathers—almost always unexegeted as self-evident—is an appeal to authority, as to a rule.

It is important to note that we are dealing with canons. They are presented as rules, as ecclesial law. They carry with them sanctions in the form of punishments. So, it is important on the one hand to note that the observations that have preceded, that see in the methodology of the canons of the Penthekte appeals to intent and motive, circumstances and the appropriate and fitting, are to be found within the larger context of rules. Yet this rule orientation is within an even larger context. It can be expressed in many different ways. In the first part of this paper, the theological and soteriological belief system of the Orthodox Faith is documented as part of the ethical context of the canons of the Penthekte Ecumenical Council. More ethically and spiritually, the Penthekte teaches in its 96th canon that the Christian life is an imitation of Christ. It says, “Those who by baptism have put on Christ have professed that they will copy his manner of life which he led in the flesh.”³⁶ The Greek reads, “τὴν ἐν σαρκὶ αὐτοῦ πολιτείαν μιμεῖσθαι καθωμολόγησαν.”³⁷

We see this whole Orthodox ethical ethos comes to fore, when the duty to preach the Word of God to the people is under discussion in canon 19, a rule in itself. There we see that the larger context and pattern of the Christian life is appealed to by the canon. Canon 19 affirms that preaching should take place in harmony with the doctrine of the Church Fathers, so that “the people coming to the knowledge of what is good and desirable, as well as what is useless and to be rejected, will remodel their life for the better, and

³² *ibid.* p. 370.

³³ *Ibid.* p. 393.

³⁴ *Ibid.* p. 394.

³⁵ *Ibid.* p. 394-95.

³⁶ *Ibid.* p. 406.

³⁷ *Πηδάλιον*, p. 305.

not be led by ignorance, but applying their minds to the doctrine, they will take heed that no evil befall them and work out their salvation in fear of impending punishment.”³⁸ In this passage, beyond the general appeal to an ethical dimension for the purpose of preaching, there are specific appeals to good and evil categories, consequences and the fear of consequences, the process of growth, prevention of sin, as well as knowledge as a source of ethical decision-making and behavior.

All of this raises the meaning of “rules” in the canons themselves and in ethics in particular. Elsewhere I have discussed this at length. Let suffice here to simply quote my conclusion:

...moral rules and laws are not mere arbitrary and capricious impositions upon our will from without. We have understood rules and laws as the distillation of the experience of the Church as to the most appropriate and fitting responses to the moral situations which we commonly face. Ethical rules are (the expression) of the ethical wisdom of the Church. They serve to save the continuous expenditure of time and energy in deciding anew each situation. A remarkably large portion of ethical behavior consists of consulting the guidance of the Church in the form of its generally accepted ethical rules and canons.³⁹

The rules are almost always a starting point. The assumption is that they somehow embody the Church’s mindset, as “attempts to articulate how the faith ought to be ‘visibly expressed’ in our behavior and activities.”⁴⁰ It is only when it becomes evident to many in the Church that the rules no longer seem to be of that ecclesial mindset when they need to be applied to radically different circumstances, that the issue of reform should arise.

I have tried to show in this paper that the canons of the Penthekte speak, on the one hand, about ethical and moral standards, precisely as rules. But, methodologically, this study has also sought to document, through and examination of their methodological approach, certain ethical decision-making parameters. The impact of intent and motive, circumstances and a judgment of the “fitting and appropriate” exercise a considerable role in the canons of the Penthekte.

CONCLUSION

If it be accepted that these methodological criteria had some place in the original formulation of the canons, then it would be acceptable to hold that they might also have a role to play in a reassessment of the canons of

³⁸ Ibid. p. 375.

³⁹ Harakas, *Toward Transfigured Life*, p. 216.

⁴⁰ Ibid.

this or any council. To reject this would be a gross case of legalism. I personally remain convinced that the canons are extremely valuable witnesses to the Church's mindset. The burden of proof will always be upon those who would change them. Nevertheless, that methodological concerns such as those discussed in this paper (intent, motive, circumstances and the fitting/appropriate) should be used to examine the content of some canons which seem to have lost their applicability, with a goal to their reformulation, seems to be also equally evident, given the soteriological and faith context of ethical and canonical decision-making.

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Focusing Emphasis on True *Metanoia* Rather than on Penitential Canons

EMILIANOS TIMIADIS

The Background of the Trullo Council

For nearly 240 years the Church of Constantinople was unable to convocate a council and formulate canons for many pending subjects. After the Fourth Ecumenical Council of Chalcedon (451), a spiritual lethargy and liturgical decay prevailed. Not only does John Chrysostom deplore the alienation of Byzantine society through all kinds of vices, but even in the introductory speech of Trullo, officially and before the emperor Justinian the unhealthy symptoms of a nation, previously so pious, are described with dark colours. There is no hesitation in applying the most dreadful characteristics once applied to the Hebrews in the days of open apostasy, "What then, of the person who despises the Son of God ? Who treats as a cheap thing the blood of God's covenant which purified him from sin? Who insults the Spirit of grace?" (Heb 10.29)¹

From the variety of subjects treated at Trullo one sees that even in a Christian society there still remained many traces of abominable practices originating in paganism and Judaism (Canons, 11, 33, and 99). The conciliar Fathers were assembled in autumn of 691, an autumnal period of Christian moral standards.

Accumulated problems were awaiting solution. It is noticeable that the nature of the canons is milder and open to a more charitable attitude. Often they refer to previous councils either re-confirming their validity or developing them on a wider base, thus the frequent use of the expression "ἀνανεούμενοι, (canon 3), ἀνανεούμεν, (canon 8, 25)." The complex-

¹ G. Rhalles and M. Potles, *Syntagma ton theion kai ieron kanonon*, 6 vols. (Athens, 1852-59) 2, 298.

ity of these problems—disciplinary, ethical, dogmatic, canonical, liturgical—increased the number of canons to 102, the highest number ever.

In the given historical context, church discipline was not functioning well; until the Trullo Council, the clergy had done its best to make the existing conciliar prescriptions applicable and acceptable to Christians. There was a strong reaction and the rigidity of the canons could scarcely be completely retained. The Confessors, living under continuous stress and tension, were faced with a binding task to maintain the authority and its place in the daily liturgical life, although it saw quite tangibly the impossibility of keeping this mandate in such an uncompromising form. Voices were certainly raised for a milder approach to penitential discipline. Among others, John the Faster dared to reduce the duration of eucharistic excommunication. Whoever suggested a more charitable attitude was immediately accused by the integralists as disrespecting the established ecclesiastical order and introducing innovations against tradition.

If one looks deeper into the Trullo canons and the place given to Canon 102, as concluding advice, one is plunged into deep reflection. Actually the text before us is not a canon in the real sense of the term. The simple reason is that a canon, as such, cannot convey the deeper meaning and message of another canon. Some different type of formulation was needed, a kind of strong reminder, an excursus as a key guiding us to understand the hidden spirit of the listed canons and how to apply them in dealing with penitents.

As we see in Canons 2, 3 and 102, Confessors are recommended not to be bound by the severe sentences of the canons, but rather to turn carefully with full understanding and sympathy. In proportion to the gravity of sin, sincere confession and promise of a new life by the penitents, they could proceed to the posology of therapeutic disciplinary acts. Thus, a new procedure is officially codified, although similar moderate sentences can be found in many other patristic sources. Such expressions as avoiding excessive meekness or acrid impressions of austerity but reconciling *φιλανθρωπία*, open a new era of treatment (canon 3).

The leniency of Canon 102 is the outcome of many previous recommendations for the charitable treatment of true penitents. It borrows this spirit from other councils and church fathers, endorsing it as the ideal treatment. Thus, although the *lapsi* during the Licinius persecution merited heavy penance, the Nicaean Council (Canon 11) recommends kindness

towards them χριστεύσας. The same Nicaean Council states that although many were summoned by grace....they returned like dogs to their vomit (Prov 26.11; 2 Pet 2.22).... But in addition to all these requirements it is requisite to examine the quality of repentance “ἐξετάζειν καὶ τό εἶδος τῆς μετανοίας.” It is even up to the bishop to modify the penance “ἐξεῖναι τῷ ἐπισκόπῳ καὶ φιλανθρωπότερον τι περὶ αὐτῶν βουλευσασθαι.”

Considerable weight supporting such a view is offered by a similar clemency stated by John Chrysostom (344-407):

I am not asking for a multitude of years but correction of the soul. So show me this, whether the sinners have been contrite, whether they have changed their manner of living, and everything is finished. But as long as this is not so, no benefit will accrue from protection of the period of penance. For even in the matter of bodily wounds we are not concerned about how many times the wound has been bandaged, but whether the bandage has been of any benefit. So if there has been benefit, let it be no longer bandaged. But if it has been of no benefit, let it be bandaged for a longer time, even for more than ten years, until the wounded one has derived some benefit from the bandage.²

In the same spirit, Gregory the Theologian refutes with irony the arrogant insistence of not forgiving post-baptismal sins by the Novatians, saying:

We ought not to accept those who neither repent nor humble themselves. Whereas we ought to accept those who fail to display repentance equal to the wrong they did, and that we ought to sentence them to keep the forms of repentance that benefit their sins. As for those, finally, who truly repent on such an extent that they actually wither as a result of their tears, we ought to admit them to communion “νικάτω τό φιλάνθρωπον...σῆτε μεθ’ ἡμῶν τῶν ἀνθρώπων...Μή τις ὑμῶν εἰπεῖν τολμήσῃ μηδέ εἰ λίαν ἑαυτῷ τεθάρηκε...” let none of you, even though he has much confidence in himself, dare to say: touch me not for I am pure, and who is so pure as I?³

From these few selections among many other testimonies, we may conclude that repentance and the recommended penitential discipline is not judged by the number of years but by the disposition of the soul. According to the degree of repentance, so the number of years of penance is prescribed. True contrition for past offences implies hardship and self-denial. Plato states in precise terms: “The achievement and attainment of virtue demands by God a lot of sweat-labor.”⁴

² Hom. 14 on 2 Cor.

³ Discourse on the Lights, Oration 39, 19; PG 36.357.

⁴ Laws, E 718.

The privilege of right interpretation of the canons and the subsequent treatment of penitents is the result of illumination, of intimate participation of man within God's light. The classical example of Moses, commented on so well by Gregory of Nyssa⁵ provides a lesson that whoever wants to enter the clouds in an otherworldly experience will come into personal communion with God. He will be enabled to see not only the back of God, as Moses did, but

he will be presented fully as a person, as one already familiar to God. He will stand seeing only God and being seen by God, listening to His voice. He will be initiated into the mysteries of the kingdom of God and then he will go out to proclaim these to others. He will be illumine, and afterwards he will illuminate the light of knowledge.⁶

Similarly Saint Basil states:

To one is given a word of wisdom, to another a word of knowledge to the other faith, to somebody else prophecy, to another the gift of healing... But to each of them whatever is given is not destined for himself alone, but for others also.⁷

Instead of considering only prescribed sanctions, the Confessor studies rather the unhealthy symptoms of his patients. For them charitable treatment is needed. During this earthly spiritual war a rupture and alienation often takes place. To whom then must the fallen turn in asking help? The history of salvation is nothing else than the moving history of thousands upon thousands returning to God asking for mercy and therapy. Their re-admission has, as Saint Paul states, a cosmic dimension (Col 1.20) The fruits of such changes go back to the redemptive work accomplished by Christ. His death and resurrection sought to pull down the wall of enmity, thus renewing his covenant with his chosen people, the new Israel.

In the conscience of the universal Church, those Confessors gifted with discernment were highly respected as charismatics, filled with the Holy Spirit and knowledge, that they might advise and orientate penitents. Theodoret of Kyros witnesses that even an Ismaelite went to see Symeon the Stylite to confess his sins and obtain forgiveness.⁸ Their accumulated gifts command our high respect. Being full of faith "πιστός" they become also "θεωρητικός" guided by divine light, partakers of the Holy Spirit.⁹

⁵ *De Vita Moysis*, PG 44.376-7.

⁶ Symeon the New Theologian, *Ethical Sermons* 15.

⁷ *Ascetica*, PG 31.932.

⁸ Philotheos, *Historia* 27; PG 72.1477.

⁹ Symeon the New Theologian, *Catechesis* 29; *Ethical Sermons*

Interpreter and Implementer of the Canons

Whoever deals with the sacrament of penance is reminded of two fundamental realities: baptismal promises and their later violation. Every Confessor should know these two stages in Christians' lives and face post-baptismal falls in such a perspective. In addition, he is conscious of God's generous offer of reconciliation and return to the pre-Adamic condition, provided the sinner repents with all his heart and discontinues sinning. Christ appointed priests for this precise ministry of reconciliation and forgiveness. They are available and ready to be instrumental in the rescue of captives of passions and vices.

A Confessor's task is not restricted to the private healing of individuals. His penitential duty has a wider ecclesiological dimension, touching the parish and the quality of the local Church, present and future. The increasing concern for better Christian living, and consequently of a better world, is interrelated with the concern for renewing and restoring wounded and distorted members of the human family. In this respect, we need a new reading of Trullo's Canon 102, because it offers new ways of rendering to the victims of evils the potential for a new life. This vital question preoccupies both Orthodox and Catholics of whom the latter promulgated a most interesting Apostolic exhortation on December 2, 1984, under the title "Reconciliatio et Paenitentia."

Behind the severe canons, the Trullo Council sees the penitent's return—*metanoia*—as a strong inner longing for lost happiness, parallel to that of the prodigal son, and a regret for wasting talents, for profaning the sacredness of his home, and offending his dear father's heart. A true penitent longs for reconciliation with his own self, which has been in revolt, contradicting itself, stupidly expending will on the most futile joys. His whole life, therefore, is disturbed by inner conflicts, dissatisfied with deceptions and anguish. Aware of such psychological paranoiac tragedy, a Confessor does not look to the canons in narrow arithmetic terms. He is commissioned by Christ to heal, to correct, to restore and bring back forgiven beings. In a broken world with a small number of true Christians, what would be the outcome if fallen members were cut off from churchly communion by rigidly applying the canons? Instead, all steps, both therapeutic and corrective, must be used in order to increase not the number of condemned penitents, but of those who have been healed and restored. In the African Church of the third century, Saint Cyprian was terrified by the

extent of moral disorder and divisions and was pleading for charitable treatment of lapsed penitents.¹⁰ In following this curative aspect, the Church goes to the very root of all evils: our selfishness. Never discouraging sinners, she assures us that God, since His incarnation, wants not to condemn but to save.

No one should think of the canons as products of a specialist legislative group scrutinizing words and constructing legal sentences. Rather, they express the long experience of godly shepherds in spiritual leadership and responsible fatherhood. Steeped in the depths of ecclesiastical tradition, they were conscious of the clear teaching of the Scriptures, guided by God's spirit. They were living this undivided Tradition to such an extent that often they did not write down those texts, but memorized them, thus showing to what extent they were breathing and living their teaching. As in the Eucharist the intemporal meets the temporal, in the same way in the life of the Church, its charismatic saintly pastors transmit the divine message to humans. There is no other interpretation of the nature and authority of conciliar canons. Symeon the New Theologian consequently refers to such a channel of transmission by inspired people:

Nobody learns the various aspects of penitence from himself, unless he is instructed by an experienced and competent man who will teach, because such a saintly and impassive one guarantees the truthfulness of the transmitted faith to later generations. They become the trustworthy guides to whom the others find, as they were, Christ himself "...ὥς αὐτὸν τὸν Χριστὸν ὁρῶν καὶ καλῶν..."¹¹

By such a process, ineffable truths are passed through individuals of flesh and blood. In fact, they constitute a visit of God (ἐπίσκεψις) in the flesh (ἐν σαρκί). Without such an instrumental use by God of charismatic, spirit-filled persons, canons and synodical ordinances become human legislation of courts, and councils deteriorate into institutions. In the life of the Church, there is an ongoing Pentecostal birth, by the renewal and endowment of gifts to privileged persons. It is a continuous spiritual child-bearing (ἐθέετο), taking up past heritage and handing it on to another one. This is a deep mystery, engendered within the Church, so that Clement of Alexandria could name catechists Fathers: "πατέρας τοὺς κατηχήσαντας φαμέν."¹² This precise relationship between the illuminated and the giver of grace, Christ, makes the mystical life of profound holiness the best theology, as one sees in Symeon's *Hymns of Divine Eros*.

¹⁰ *De Ecclesiae catholicae unitate* 7.

¹¹ *Catechesis* 14.

¹² *Strom.* 1, 1, 2.

Obviously, the main difficulty in a dialogue remains the views of a Church which is structured like a pyramid. Latin ecclesiology describes this pyramid starting from the top, from its head, which draws other parts of it upwards in order to impart to them specific church qualities by its deposit of "de jure divino" ignoring the fact that this pyramid stands on the foundation whose cornerstone is Jesus Christ alone. The result of this type of ecclesiology is a conception of the Church as a sacred institution which treats as secondary the charismatic life of the whole church in the Spirit. Members described by the pauline image of the *oikodome* of the Church are too readily cut off.

Conciliarity is understood and applied in different ways. In Rome, it means the pronouncement of the Roman episcopate, but always with the Bishop of Rome as head of the college. The Office of Peter as head of the Apostles has become the first presupposition. When the Pope officially pronounces a doctrine of the Church "ex cathedra," he does it out of his authority "de jure divino" in an infallible way, but never without the consent of the whole episcopate of the Church "ex sese et non ex consensu ecclesiae." Now this has to be understood in the form "ex sese et non sine consensu episcoporum ecclesiae."

But the cause of such changes goes back to the redemptive work accomplished by Christ. His death and resurrection sought to pull down the wall of enmity. What then happened historically twenty centuries ago, we experience during our daily relationships within the Church. Leo the Great said in speaking of Christ's passion: "All that the Son of God has made and taught about the reconciliation of the world, we know not only through past history, but also experience its efficiency by His present ongoing saving actions."¹³

But while God's readiness to forgive and restore are always available, there is a reluctance on our side to approach him. We turn our attention to false idols and less painful things. Thus, instead of theolatreia, we establish an idololatreia. The term idolatry, used by the Old Testament and also by the New Testament, concerning sin, has a particular significance. More often it is designated by the parallel *hamartia*, which means that one has missed the point and thus has failed. Again, the term *adikia* is used meaning the act of injustice in a broad sense, as are *parabasis* (transgression,) or *asebeia* (iniquity). All together they express one and the same thing. The more one postpones responding to God's offer, the more prob-

¹³ *Tractatus* 63, *De passione Domini* 12, 6.

lematic becomes the conversion. What holds us back varies from person to person. Sin is multifaceted. Saint Augustine saw some aspects as *letalia* or *mortifera crimina*, which because of their gravity are opposed to *venialia*, *levia* or *quotidiana*.¹⁴

At any moment we are free to change our orientation not only towards the best but also towards the worst, increasing our alienation from God—*aversio a Deo*—refusing communion with God's love. But then we cease to possess the principle of life, God, thus choosing death. This explains why often the wicked are called dead.

In praising the exceptional virtues of Church guides, the fathers also do not hesitate to warn of their scarcity. Such persons are few. "Only if you succeed in finding one experienced in spirituality, competent to heal you, make confession to him without any fear and with confidence as if you were before the Lord, and not man", Anastasios of Sinai recommends.¹⁵

The role of such saintly priests is most important. To them was given the power—*exousia*—of retaining or remitting sins. This is an extremely delicate mandate, the exercise of which extends into the vast domain of prescribing the most appropriate remedies, taking the relevant canons and adapting them according to the state of the penitent. If the *epitimia* at first seems to be vindictive this is because the body which revolted must be strictly disciplined, corrected, and the whole being renewed. The penitent freely and consciously refused God's supremacy, the covenant of love, preferring to turn to his own self, toward a created and finite reality, to something contrary to the will of God (*conversio ad creaturam*).

In recent times, the sense of sin has weakened to an alarming degree. We see an insensitivity towards evil. Conscience does not function normally. The sin of this century is the loss of the sense of sin. This results in a refusal of God's lordship in the arrogant idea that one can easily live without God. But such a view will eventually rebound against mankind. To make the depths of the human heart sensitive to the need for repentance by offering divine mercy constitutes the main task of the confessor. This ministry is not limited to a few sentimental exhortations or severe warnings of eventual condemnation by canonical sanctions, or in the after life, by damnation, but by a diligent, paternal, correcting care. It is not enough to parade an ideal ethic, but to show that conversion profits above all the sinner himself.

It must be remembered that even in the worst case, man has moments of

¹⁴ *De spiritu et littera* 28; *Enarrat. in Ps.* 39, 22.

¹⁵ *Quaestiones* 5; PG 89, 372.

awareness of his tragedy and wants to be liberated from the chains of his passions. An extensive dialogue must precede any further step of *epitimia*. In such an honest encounter, the Confessor may draw the penitent nearer to a self-understanding of his unhealthy and miserable situation through a profound renewal of his conscience, his whole life, in the light of the mystery of Christ's redemptive work. Saint Augustine was conscious of the fact, that beyond one's conversion every true repentance has a wider dimension; is a "reconciled world" in itself for the benefit of the whole world.¹⁶ Here again, it must be repeated that in its true sense, *metanoia* means nothing less than a return of the heart, of the spirit and the will toward God. This is illustrated in the parable of the son lost and found again, the return to "himself" (Lk 15.17).

Now in order that good intentions, resolutions and promises be tested in concrete acts, *epitimia* intervenes as a visible token of such dispositions. Again, any penitential discipline must not be performed out of fear of God, but out of love for his mercy. This implies, of course, a sacrifice, a violent attitude, with the intention of forcing the resisting old man to make way for the appearance of the new man.

With the Canons and Beyond the Canons

The acceptance of the authority of the canons does not mean that we have to look on them as scrupulously dictating the orientation and movement of our inner being. They render a great service, but not in terms of casuistic guidance or absolute ruling of what to do and of what not to do. If such were the case, then we would risk falling into pure legalism. Since their aim is spiritual healing and ultimate salvation, great flexibility is implied. We must not assume that for pastoral action there is only one exclusive way: namely the strict, word for word, application of a canon. Certainly a canon is a model, but its service will be felt only when a close cooperation between the healer and the penitent is established. What we mean is that the penitent must realize that what is involved is not a blind application of canons without a pastoral understanding and sincere cooperation and sharing in the therapeutic process. If the penitent willingly undergoes the discipline of the canon, but in his innermost being nothing is shaken, nothing is moved, then as a formality we may conclude that he has done his duty, while in reality he utterly misunderstood the role of the canon in question.

¹⁶ *Sermo* 96, 7; PL 38.588.

We do not need abstract, legal rules for spiritual renewal, nor a rigid framework. What we need for a spiritual pathology are dispositions which function well in practice. Let us look more to the results and less to the procedures. The soul's therapy consists of wise treatment reaching as near as possible to the suffering. The true attitude of a healer is not to regard a canon's sanctions first and the penitent's situation afterwards, thus trying to find ways of accommodation and arrangement for both but quite the opposite. First he must penetrate deeply into that matter, honestly discussing the whole state of the penitent and proceeding to an objective diagnosis. This is more important than any reference to the canonical prescription. It is imperative that the dialogue between healer and suffering soul be honest, that signs of contrition be evident. Such an encounter will show the appropriate means of recovery, discipline and therapy of the sinner. Wrongly, then, there prevails among some the idea that the task of ministers is to be vigilant guardians of the strict application of canons. In fact their concern is rather to study the penitent's whole situation, obtaining from him convincing proof of his repentance. Then, in accordance with the Confessor's wisdom and discernment, indicated remedies for further therapy are proposed. Ministers, after all, were given a very significant mandate by Christ "Receive the Holy Spirit. If you forgive people's sins, they are forgiven; if you do not forgive them they are not forgiven" (Jn 20.22-23). In this classical commission, Christ entrusts pastors with much more power than one may think. He transmits firstly the powers of the Holy Spirit, meaning that since from then on pastors are invested with responsible pronouncement, discerning each case. Inspired by the Spirit, they will then judge whether such or such a case is subject to absolution or not (...ἂν τινῶν ἀφῆτε τὰς ἁμαρτίας αὐτῆς...).

In other words, they will pronounce the degree of application or interpretation of relevant canons. Certainly, canons are also inspired by the Holy Spirit, but in the process of their application agents are needed who will determine how to deal with the inner world of penitents, taking into account the complexity of human nature. Often one penitent, as sinner, hides another being. We are not so simple, but complicated, divided, broken, frustrated beings, making visible only part of our self, and hiding the other half.

It is in such a context that healers have to exercise their office by analyzing the symptoms and deep causes of evil. Penitents are often hesitant,

refusing to collaborate, making the task of the confessor extremely difficult. We must gather all these elements together in order to have a clear picture of the enormous difficulties for the reasonable application of the canons. The priority, therefore, must be to gather as much information as possible about the suffering soul and only then to think of the implication of the canons and their proportional use.

The Church's mission is to orient, to help and guide the human conscience by fortifying the will, a mission she fulfills with "burning affection." She does not want to remain imprisoned in the boundaries of a rigid prescribed letter, but to operate freely, since for this task promise was given of the Spirit's perennial assistance. Human life and salvation is realized in history in different ways, because each is an individual. Christ's commission for binding and loosing sins is commonly understood as a mere priestly reading of the absolution prayer, and indeed such formality is the impression often given. But such a view is restrictive in not allowing freedom for deep spiritual operation, not giving enough attention to the role of the Holy Spirit for guidance and appropriate diagnosis, judgement, healing and assistance. All these important aspects are forgotten by overexaggerating one single aspect, the right to forgive or to retain sins. It is unfair to regard such a capital promise by Christ made in explicit terms with such a narrow perspective, reducing the priest's task to a mechanical service without consideration of the other pastoral healing dimensions. We need a new approach and searching commentary on the text of John 20.23, with the parallel text of Mt 16.19 and 18.18 indicating the enormous hidden potential and also the creative contribution of responsible discernment, penetration into the penitent's wounded interiority with subsequent restoring precepts.

The use of one method without the other, inevitably leads either to the absolutization of the spiritual healer at the expense of the canons, also inspired by the Holy Spirit and conveying the faith and conscience of the universal Church—the consensus *Ecclesiae*—or to a monolithic approach to the canons, as if they remain petrified, immobile, unmovable, written, venerable monuments without flexibility and ignoring the living realities of human beings. Further, it must not be forgotten that canons deal with people from a wide spectrum of impulses, reactions, attitudes and psychological behaviours. Certainly we must maintain the authority of the canons, but not ignore that they are destined to save man. Thus, in the hands of the skilled healer they are a precious instrument, liable to modification and

adaptation for the sake of man's salvation. How can we forget the *kenosis*, condescension, *synkatavasis*, and humiliation to the Cross of our Lord, who openly declared that by his incarnation he sought human salvation? He emptied himself in order to raise our fallen nature. And if this is so, then how can we remain textually fixed to the canons, with rigidity and strict observance of their letter, ignoring the vast field of philanthropia, the corner stone of the mission of the Church on earth? The Church, in fact, exists not to keep the canons intact, but in the process of application to draw out the best of their intention and saving spirit.

It is wrong to ask which of the two approaches is more important. The answer was and remains the same: both are needed, both play a part complementing each other. However, the most difficult skill, discernment—*diakrisis*—was always considered the key and the exact measure for proposing healing remedies. Consequently, the reference to Spiritual Fathers is not a pious recommendation, but openly stated in Canon 102 of Trullo.

The applications of the canons becomes more problematic if we consider man's duplicity. He is one, and at the same time many, changing, inconsistent, incoherent, unreliable. Some horrid temptation of the flesh may render its victim utterly prostrate. The same person will be two different beings in different conditions. We shall see him calm, in tears, strong, ready to assume the responsibilities of a true repentant. But if we could see him when his dark hour comes, we would be startled and shocked at the contrast. Now he is a wrecked, weak being, strangely depraved and sinister. When he comes out of that hateful fit of self-indulgence, it is perhaps only to plunge into a sea of remorse and despair. Such alternations cannot last for ever, either the worse or the better part must ultimately prevail. Nobody can go on giving in to the assaults of morbid and deadly desires without sapping the foundations of character, destroying his moral reserves. The game must come to an end, sooner or later.

Following this line, that previous penitential canons and in particular Canon 102 of Trullo are inspired by the same Spirit of God, it is clear that divine economy operates for the same end but in different ways. It is unfair therefore to see the one opposed to the other. It is mistaken to see a contradiction between clemency-*epieikeia* and *akribeia* (exact conformity with virtue). What is expedient in one case does not deny the other practice. Thus, Saint Paul severely rebukes the passive Corinthians for their indif-

ference towards the incestuous person and pronounces the severe sentence of excommunication: "by the power of our Lord Jesus present with us, you are to hand this man over to Satan for his body to be destroyed, so that his spirit may be saved in the Day of the Lord" (1 Cor 5.4-5). However the same Paul after some time, realizing the offender's contrition and repentance, charitably forgives him: "It is enough that this person has been punished in this way by most of you. Now, however, you should forgive him and encourage him, in order to keep him from becoming so sad as to give up completely" (2 Cor 2.5-6). In this instance, we do not have before us two contradicting apostles, but one and the same person, in the first case acting like a wise spiritual father ought to, most resolutely, so that the community not be infected by the terrible vice. But when signs of metanoia appeared, a reconciliation of the offender was forthcoming. A true father does not betray his role if he first treats his children severely and later gently. Such interaction and alternation of methods is dictated by a true pedagogy. Our Church's educative task is the same. Neither of the two, clemency or severity, should be used alone, but employed as the case demands, carefully observing the development of spirituality in the offender. To be always charitable and lenient is totally wrong. Again, always to show severity and inflexibility is the other extreme, worsening and hindering the healing of the wounded soul and his return to the flock.

Such is life, a blend of both elements, clemency and austerity, condescendence and severity. It is difficult because of their nature to define the borders of either. Much depends on the charismatic judgment of the spiritual healer. It has always been so in the life in Christ, as one sees in the early texts of the *Didache* with its *duae viae*. Here the aim is not to place the believer in the restricted frame of canons, determining his movements and options:

There are two ways, one of life, and one of death, and there is much difference between the two ways. The way then of life is this: first, you shall love God who made you; second you shall love your neighbour as yourself, and whatever you would not have done to yourself, do not wither to another.¹⁷

This abrupt prologue of the text is followed by a mosaic of sentences from the Gospels, a free version of the Decalogue, and an expansion of the second commandment of the "way of life." Further, it tabulates the chief causes of sin, and shows how great offences spring from small beginnings. There

¹⁷ *Didache* 1, 1.

follows a list of Christian virtues succeeded by a passage on special duties¹⁸ and then a description of death:

The way of death is this; first of all it is wicked and full of curses, murders, adulteries, lusts, fornications, thefts, idolatries, sorceries, traffic in drugs, ravings, false witnessings, hypocrisies, a double heart, guile, arrogance, malice, self-will, covetousness, filthy talking, jealousy, boldness, pride, boasting.¹⁹

In the so-called *Epistle of Barnabas*, and the *Second Letter* of Clement, among the earliest of the post-apostolic literary survivals, we find a common syndrome, the interest in codification. It is part of a process in offering to the Catechumens a synopsis of what to follow and what to avoid on ethical questions. The Church was forced to stand against the pagan world. She had to be prepared not merely to keep her own members together, but to answer the ethical questions of the earliest heathen inquirers, projecting her teaching in well-recognised molds.

One finds a composition of catalogues of vices and virtues in the Pauline letters (Rom 1.29-31); 1 Cor 5.10; 2 Cor 12.20; Gal 5.19; Col 3.5). Paul's frequent reference to *to kalon* or *to agathon* (Rom 7.18; 2 Cor 13.7) as a summary of ethics, shows that for him and his readers the conventional Greek articulation of *kalogagathia* was neither unfamiliar nor unacceptable. The Church, in applying such modes of piety, was not giving weight to the exterior performance of virtues, but on inner intentions and above all to a personal relationship with God. In fact, the distinctive life in Christ begins with a new relationship, though a relationship which can in some measure be expressed in knowledgeable forms. Once the relationship (*koinonia*) has been established, the field is open for human effort and activity.

In another way, due to utterly new conditions, and circumstances, the application of a canon by a pastor does not contradict the authority due Ecumenical Councils. On the contrary, it offers a certain liberty of action taking into account the circumstances and particularities of a suffering soul, to find the appropriate treatment, in the terms exactly proposed by Canon 102. The main exegesis of such differentiation stems from the everliving presence of the Holy Spirit. It is the same inspiration when rigidity was decreed in previous canons, and it is the same Spirit dictating to the pastor of today.

¹⁸ *Didache* 4, 1-13.

¹⁹ *Didache* 5, 1-6.

Such pluralism of the Spirit's direction corresponds to Christ's warning foretelling the coming mission of the Spirit, namely that it cannot be imprisoned but is free: "The wind (*pneuma*) blows wherever it wishes" (Jn 3.8). It is interesting in this context to note the importance Maximos the Confessor attaches to the initiative of the Spirit in dictating to the newly converted Peter different practices and attitudes towards pious pagans than were established previously among Christians in the primitive Church. The whole controversy concerned the meat from sacrifices. Hesitant until then to preach to Cornelius, a Gentile, the divine oracle revealed a new truth: that there will be no more discrimination between clean and unclean, or between pagan and converts; all human beings are God's children, waiting to hear the truth. Explaining this to the brothers in Jerusalem and thus inaugurating the mission to the Gentiles, Peter points out a double directive from the Spirit, the second completing the previous one: "Then I remembered what the Lord had said: 'John baptized with water, but you will be baptized with the Holy Spirit' It is clear that God gave those Gentiles the same gift that He gave us when we believed in the Lord Jesus Christ; who was I, then, to try to stop God!" (Acts 11.16-17). There existed another teaching, and a basis for other more divine principles (*allis archis thioteras geneseos hypotyposis*), that is, the grace of the kerygma."²⁰

This everpresent and continuous guidance of God's Spirit to the Saints offers them an extraordinary freedom and vast horizon to see things differently and discover new interpretations. As Maximos states:

Whether the saints were searching or researching, whether exploring or seeking, they possessed the Spirit moving their rational or spiritual power for the investigation of all that concerned the salvation of souls. Without the Spirit, nothing was entirely considered as spiritual... These saints through the Holy Spirit succeeded in a practical philosophy (*philosophia*).²¹

Maximos disapproves of penitential discipline the *epitimia* if a new relationship between God and the penitent is not established. Metanoia for him is the restoration of a personal koinonia broken by sin. Every vice is all insult against God's love; this is above everything else, the main damage, the greatest loss. It is useless to scrutinize the effects of sin in other ways trying to find out how it can be labelled, classified, described and in which category or list to be placed. What counts above all is the rupture of love: "Every askesis not accompanied by love becomes alien to God."²²

²⁰ *Quaest. ad Thal.* 27; PG 90. 352-3.

²¹ *Quaest. ad Thal.* 59; PG 90. 608, 612.

²² *Lib. ascet.* 36; PG 90, 941.

From the very beginning the criterion of true discipleship was the faithful following of baptismal promises. This was expressed in the experience of the living God which is at the heart of Christianity. In addition, this discipleship demanded certain fundamental principles to be kept not only individually, but in a corporate discipline. But the application of such discipline always endangered the purity of vocation by being distorted in external observations of restrictive canons. A penitential discipline is an agency for good as long as it is exercised for remedial purposes, to strengthen. If the discipline (*epitimia*) is not employed pastorally but pennially, not to strengthen the weak and restore the falling, not as a therapeutic means, but expiatory because of God's wrath, then the penitential rules, however carefully expressed, lose their main function and become an instrument of legalism which dragoons the many into a purely outward observance, breaking the heart of the spiritual genius who needs freedom and inner catharsis. And because the medieval West soon began to forget that church canons were simply to help men restore their wounded souls so that they might receive the Eucharist worthily, it sowed a harvest of evils of almost inconceivable gravity.

What resulted from such legalistic and exterior penitential practice is a wholly wrong attitude towards ethical principles. Less and less are they thought of as means to secure inner conversion, healing from grave offenses and the energy of service which retains and attests conversions to God. More and more they became mere conditions of membership in the body of Christ, where external conformity is to be rewarded with assured salvation. Attention is concentrated upon law rather than upon life; penitential actions become more important than motives; obedience takes the place of intimate personal communion with God as the mainspring of the Christian life; outward submission rather than inward spontaneity is what is expected of the penitent. Such false views unfortunately indirectly entered even certain of those who deal with this ministry. Abuses and misuses are infectious, transcending all churches. Thus, as far as ill-informed Orthodox Christians are concerned, we often see as the result of these developments an immediate deterioration of moral standards, with a widespread dominance of hypocrisy and purely formalistic observance.

Trullo makes it very clear that penitents and healers must not rely on the mere observance of penitential discipline imposed. The very source of evil lies deeper and cannot be touched by an external performance of

epitimia. The healer must penetrate as deeply as possible the heart of the penitent to discover his temperament, idiosyncracies and intentions. Indeed, he should consider the whole background of the particular circumstances and all available information. His enquiry must be made as humbly as possible: contextual, environmental, situational...and in the light of all these, he must proceed to a sound diagnosis.

Equally, the penitent must cooperate in all ways possible. He must not only see the magnitude of his offence and accept the imposed sentence but must be aware of the degree of his contrition, his determination to give up once and for all his sinful state. Radically changing his previous life, he will use the penitential discipline as an *askesis*, a pedagogy to subdue his self to a new order. Thus, the absolute weight and authority does not lie on epitimia, but rather on the direction he will follow and his absolute confidence in the Confessor's guidance, not as judge, but as father and healer.

This said, Canon 102 does not introduce open opposition between the spiritual authority of the Confessor and the canonical-ecclesiastical, principle, between the charismatic ministry and the institutional. Confidence or obedience is of extreme importance for restoration and the therapeutic process. There is a close parallel between a physician and his patient. If a patient does not follow the medical advice and refuses to put into practice the recommendations, the whole consultation is rendered useless. We often meet the analogy in early, patristic and ascetic writings, for there is a similarity. At any price, the sinful will must be re-educated in order to seek its own desire no longer. The will of unredeemed man must experience "a humility of his will" (Ph 2.8), a theme developed extensively by Saint Basil.²³ John Klimakos says:

Obedience is the burial place of the will and the resurrection of lowliness. A corpse does not contradict or debate the good or whatever seems bad, and the spiritual father who has devoutly put the disciple's soul to death will answer for everything. Indeed, to obey is, with all deliberateness, to put aside the capacity to make one's own judgement. The beginning of the mortification both of the soul's will and also of the body's members is hard. The halfway stage is sometimes difficult, sometimes not. But the end is liberation from the senses and freedom from pain.²⁴

This humiliation of our will does not mean elimination of one's personhood. On the contrary, by subduing an arrogant will, the penitent is

²³ *Ascetica* 2, 2; PG 31. 884.

²⁴ Step 4; PG 88. 680.

completely healed and ready to assume new responsibilities stemming from repentance. This means that from now on the will proceeds to choices befitting his spiritual health supporting the process of regeneration. All our future is played out in this field. The heart's will is the battlefield where evil and God struggle to conquer and become the sole permanent dweller. A new will is the basis for salvation, reflecting the sentence of Ignatios of Antioch "Θελήσατε ἵνα καὶ ὑμεῖς θεληθεῖτε." Only in this way can a solid cooperation with God be assured. His will must become the model for our will. The penitent willingly accepts the engagements of his *metanoia*, consisting in self-discipline, submission to the spiritual father and no longer to his ambitious and unstable desires. In this connection, the frequent metaphor of "erotic" relationship between the faithful one and his Savior as bridegroom—bride merits deeper attention. Not only does a whole book of the Old Testament take up the analogy of a married couple in order to designate the ideal respect for Israel of Yahweh, but also in the New Testament, Christ himself qualified his beloved friends as such. Even more significant is that in the most dramatic moments of his life before his Passion, the hymnography of Holy Week preludes the somber services with the hymn of the Bridegroom:

Behold the Bridegroom comes in the midst of the night, and blessed is the servant whom He shall find watching; and again unworthy is he whom he shall find heedless. Beware, therefore, O my soul, lest you be borne down with sleep, lest you be given up to death and lest you be shut out from the Kingdom. Wherefore arouse yourself, and cry: Holy, Holy, Holy are you, O God.²⁵

If we go deeper into this analogy, we shall discover the whole mystery of God's immense love in seeking the return and salvation of His most precious and loved fallen creature. Repeatedly in the prayer of absolution we hear: "I do not want the death of a sinner, but rather that he may live and turn from the wickedness which he has committed and live, and then even unto seventy times, sins ought to be forgiven."²⁶

²⁵ Troparion of Palm Sunday Evening, Tone 4th Plag.

²⁶ Prayer from the rite of confession.

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Hellenic College and Holy Cross Greek Orthodox School of Theology

Installation Address*

THE REV. DR. ALKIVIADIS C. CALIVAS

Your Eminence:

With humbleness of heart I express to you and to the members of the search Committee, the Corporate Board and the House of Trustees my profound gratitude for the singular honor that has been bestowed upon me. I pray fervently that I will prove worthy of your trust.

The responsibilities of my office are complex and its burdens are heavy. However, the encouraging words of the risen Lord to St. Paul echo in my heart and give me strength: "my grace is sufficient for you, for my strength is made perfect in weakness" (2 Cor. 12.9). For the essential inspiration and guidance that I will need to execute the duties of my office I place my trust in the Lord's grace, "which always heals that which is infirm and supplies that which is lacking."

Your Eminence:

Throughout these many years you have been for us a spiritual presence, an inspiration, and a directive force. You are a man of extraordinary qualities and a leader with nobility and grandeur of soul. Through your dynamic leadership Orthodoxy has moved with vigor and intensity upon the American scene. You have been especially generous in your affection for and support of this School. You have kindled our expectations and roused our energies to open new frontiers in theological education. Few people have influenced the course and destiny of this School as you have. It is your place and your home. For all the gifts of your heart and mind we are deeply grateful.

*Delivered at the Installation Ceremony of Fr. Calivas as President of Hellenic College and Holy Cross Greek Orthodox School of Theology, January 26, 1996.

Education is above all a spiritual process. From the standpoint of our patristic tradition, its objectives include the enlargement of intellectual horizons through the cultivation of the mind (διάνοια) as well as the energizing of the spiritual intellect (νοῦς) through which we attain direct union with God and discern with greater clarity the moral dimensions of life and the purposes of God in creation.

For the ancient Hellenes, who are our forebears as well, the purpose of education was the formation—μόρφωσις—of the human personality through the acquisition of wisdom and virtue. It was the Gospel, however, with its unique insights into the depth of human life, and the gift of grace, that defined the Christian understanding and fullness of the educational process in terms of μεταμόρφωσις—the transformation of the human personality according to the image and likeness of Christ.

These foundational principles—the formation and transformation of the human being—must continue to lie at the heart of the educational enterprise at Hellenic College and Holy Cross Greek Orthodox School of Theology. Here, we are inspired to view education as an integration of learning and faith. For us the pursuit of knowledge is but one aspect of educational process. We must seek as well to challenge our faculty, students, and staff to reach for the highest levels, through the inspiration and practice of the evangelical truths and values, which are intrinsic to the classical Christian tradition.

As an institution of higher learning our School is committed to the process of intellectual inquiry and research. As a Christian School we have the added responsibility to help form the character of our students and to build faith. Because of its unique character, Hellenic College and Holy Cross have the further obligation to impart to its students an appreciation of the spiritual legacy of our proud Hellenic cultural heritage. Moreover, as the Seminary of the Church, our School has the singular responsibility to educate well, train effectively, and form carefully, the priestly conscience of the future clergy of the Church.

To accomplish these many tasks effectively year after year we must require of ourselves a tenacious commitment to sound fiscal policies, rigorous academic standards, and energetic programs for faculty development and student recruitment.

Your Eminence:

I pledge to you and to the venerable hierarchs of our Holy Synod, as well as to the clergy and the faithful of the Church, to work towards these ends and, with the help of the grace of God, to advance the mission of the

School and to uphold the doctrinal truths, the canonical order, and the liturgical tradition of the Church. Also, together with the faculties I will endeavor to enrich our academic programs and to preserve and transmit through new initiatives the riches of our cultural heritage and to strive for evermore-meaningful and challenging programs of theological education and pastoral training.

As we move ahead to break new ground, we are obliged to pause and to glance at the past, so that we may see the labors of those who preceded us, to honor their intentions, and to celebrate their achievement with gratefulness of heart. I am especially mindful of the contribution of his Grace Bishop Methodios. Through his strong and decisive leadership he brought financial stability to the Institution and oversaw the refurbishing and beautification of our physical plant, the erection of new edifices and the expansion of the academic programs of Hellenic College, this tiny jewel which we must continually empower with confidence so that it may gain a deeper sense of identity and purpose.

It is my prayer and hope that we will build upon the successes of the past and that step by step, judiciously and prudently, we will work to transform our aspirations into concrete accomplishments, so that this School will indeed be the spiritual and intellectual center of Orthodoxy in the English speaking world.

The strength and vitality of a school is measured above all by the caliber of its faculty. I am proud to note that we are blessed with faculty members who bring honor to their profession and who are eager to serve and to advance the mission and the purposes of this School.

The pride of our School are its students. They come to us from diverse backgrounds, from various jurisdictions, and from all parts of the globe. Their faith commitment, their varied gifts and talents, and their eagerness to learn and to serve have never ceased to amaze me.

Behind the scenes are the silent heroes, who carry the burdens of the day and make the wheels turn: our dedicated staff, the undaunted volunteers, and especially the committed members of the House of Trustees. It is through their tireless labors that we reap many benefits.

The School belongs to the Church so that it may serve the needs of the Church. Hence, we are mindful to seek always not only the strong support but also the wise counsel of the venerable hierarchs of the Church as we work to advance the mission of the School.

I turn with gratitude to the clergy of our Church. Through their ministry, the spirit and vision of Holy Cross touches the life of every parish and

every parishioner of our Church. Through the members of my class of 1956 I embrace all the alumni of the School and invite you to share in my honor, for I am one of you.

To the faithful of the Church who have never failed us, I extend our deepest gratitude for your love and your most generous support. May the Lord prosper you in life and in faith.

I accept the honor that has been bestowed upon me as an encomium to my beloved parents, as a tribute to my wife for her unfailing love and devotion, and as a spiritual legacy to my children who are my pride and to my grandchildren who are the joy of my heart. Throughout my forty years in the ministry the members of my house church have been for me a source of inspiration, comfort, and joy.

We find ourselves as a Church in an hour of transition. The historical moment is charged. We have arrived at a new and unprecedented frontier. While we strive to preserve the fundamental elements of our rich heritage, and seek the close guidance of our Mother Church the Ecumenical Patriarchate, the imperative of the Gospel requires that we embrace America, her history, cultural diversity, and religious pluralism, with apostolic fervor. We must dare to believe that we have a place and a mission in this society. It is our task to discern this mission and to articulate it convincingly in the arena of public life. Surely, this School must play a leading role in this endeavor.

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Historical and Ecumenical Perspectives of The Penthekte Ecumenical Council: An Orthodox Perspective

GENNADIOS LIMOURIS

BEING IN A WORLD OF CHANGES

The Church is rapidly approaching its third millennium. For the world in which the Church lives the future has already begun. Science has begun to investigate both microcosm and macrocosm, both the atom and the universe; there are increasingly rapid and ever more efficient means of sophisticated communication and transport. There is a wealth of new instruments, of synthetic materials; methods of production are steadily improving; the expectation of human life has been increased by a decade or more; tremendous achievements have been reached in physics, chemistry, biology, medicine, psychology, sociology, economics, and historical research. All in all, and despite those worldwide catastrophes and perils which have been the particular fate of our century, the story has been one of breathtaking progress. The highly industrialized nations of Europe and America have spread their knowledge throughout the world, the peoples of Asia and Africa have come to life; the world is becoming one single economic unit, one single civilization is being established, perhaps even a single culture is emerging within its diversity and particularity.

Suddenly around the world and particularly in Europe, the Iron Curtain has been torn down, just a decade before the end of the twentieth century. Revolution spread quickly and decisively to the Russian satellite countries of Eastern Europe: Poland, Hungary, East Germany, Czechoslovakia, and Rumania, Albania, and the former republics of Yugoslavia, though still suffering, have also rejected communism.

Dramatic changes have taken place suddenly in Eastern Europe—not

least the cessation of persecution of religion and the Christian Church, even though the Uniate imbroglio still continues to be the cause of much suffering. The reunification of the two Germanies and the end of the cold war have only begun to be evaluated in a larger historical outlook.

No one had expected communism to be displaced so suddenly from power. World historians will for a long time study and debate the causes and meaning of what has happened. This is very much evident: the continent will never be the same again. An era has come to an end.

Clear and immediate gains can be seen. The threat of nuclear warfare has been diminished, although massive armaments remain. The Berlin Wall has been dismantled. International power structures are being reconstituted in a pattern that could determine the future of many generations.

For decades in totalitarian countries, personal faith was repressed through a wide range of strategies that varied from situation to situation and from nation to nation. Economies were centrally controlled; free elections were not allowed. By the end of the year, the totalitarian regimes in all of these nations had collapsed in face of popular democratic protest. Dissidents, only recently still persecuted, found themselves called to give new leadership to societies. Thus, a new era has begun with its risks, doubts, uncertainties, ambiguities and dangers. In this world's situation we have to see the Penthekte in the light of our times.

Penthekte Recalls History

And what of the Church? Have the future and the eschaton begun for it, too? At all events we have surely come to realize that the Church cannot, even if it wanted, stand aside from this worldwide re-orientation which heralds a new era; for the Church lives experiences and witnesses the Crucified and Risen Lord, the Incarnate Logos in this world, not in another world. Our age, like all times of transition, is one of unrest. It is a healthy and even salutary unrest which should give us, as Christians, cause for hope, not anxiety. What looks like a serious crisis may mark the moment of a new life in Christ, or redefine our ecclesial and apostolic identity; what looks like a sinister threat may in reality be a great opportunity.

The history of the ecumenical councils or synods in the ancient Church certainly belongs to the legal and constitutional history of Christ's Church.¹

The very starting point of this history, however, dictates that its proper theme is the struggle for the rightful, spiritual unity of the church of Christ:

¹Cf. Georg Kretschmar, "The Councils of the Church," *The Councils of the Church: History and Analysis*, ed. Hans M. Margull (Philadelphia, 1966) p. 1ff.

In contradistinction to the people of God of the Old Testament, the Church does not exist as a natural community, united by ties of blood and kinship; rather, she comes into existence, again and again, through the proclamation of Jesus Christ, which calls human beings to faith through baptism. This ecclesial unity is thus the gift of the Holy Spirit, who drives human beings to this proclamation and to baptism, and who bestows faith. The Councils have always understood themselves as instruments of the effusion of the Holy Spirit.

As the last two ecumenical councils—the Fifth in 553 and the Sixth in 681—had not formulated any canons, the East judged it suitable to supply them eleven years after the Sixth Ecumenical Council, i.e. in 692, with indiction. For that purpose emperor Justinian II, the “Rhinothymetos” (a Greek word meaning “with the nose cut off”) convoked a Council: 227 bishops attended or at least signed its acts, according to Balsamon and Zonaras, 340 according to the author of the conciliar booklet, and 327, according to the Rudder (the English edition of the *Pedalion*) of whom 43 were present at the Sixth Ecumenical Council, as Mansi affirms.² The principal attendants were the four patriarchs: Paul of Constantinople, Peter of Alexandria, Anastasios of Jerusalem and George of Antioch. Although not present at the Council, except for Patriarch Paul of Constantinople, they were at least represented by proxies, as at the Sixth Council. Furthermore, they signed the acts of the Council. Next in the subscriptions are named John of Justinianopolis, Kyriakos of Caesarea in Cappadocia, Basil of Gortyna in Crete, who says, that he represented the whole Roman Church, in underwriting the Sixth Ecumenical Council, but it is otherwise certain, that in this latter Council there were present legates of the Church of Rome.

This Council, like the Sixth, assembled in the dome of the Palace, called in Latin “Trullus,”³ whose name it has kept. It is also called Penthekte—“Quinisextum” in Latin, “Penthekton” in Greek,—as one might say, the fifth-sixth, to indicate that it is only the supplement of the two preceding Councils, though properly it is a distinct one. The intention was to make a body of discipline to serve thenceforth for the whole Church. This discipline was embodied into 102 canons.

The actual date of the Council is not so certain as would appear at first sight. At the Seventh Ecumenical Council, Patriarch Tarasios of Constantinople asserted that “four or five years after the Sixth Ecumenical

² Cf. *Mansi*, 11, 928.

³ This statement of the church historian Fleury is contested by those with Assemanus in thinking that the Sixth Council was held in St. Sophia; cf. *Bibliotheca Jur. Orient*, 5, p. 85.

Council the same bishops in a new assembly under Justinian II had published the [Trullan] canons mentioned" and this assertion was affirmed by church historians, Fleury in particular.⁴

The Seventh Ecumenical Council appears to have accepted this dating as true, if we have understood the sixth session aright. Were this statement true, the date would probably be 686, but this is impossible according to the words of the Council itself, where we find mention made of the 15th of January of the past fourth Indiction, or the year of the world 6109. To make this plausible at all, scholars tell us that for the fourth one must read the fourteenth. But the rest of the statement is equally erroneous, the bishops were not exactly the same, but only 43 from the Sixth Ecumenical Council, as can readily be seen by comparing the subscription to the Acts. The year of the world 6109 is certainly wrong, and so other scholars would read 6199, but here a division takes place. Some count by the Constantinopolitan era, and so fix the date at 691; others follow the Alexandrian era and fix it at 706. But this last date is certainly also wrong, for the canons were sent for signature to Pope Sergios who died as early as 701. The Western church historian and scholar Hefele concludes: "The year 6199 of the Constantinopolitan era coincides with the year 691 after Christ, and the IVth indiction ran from 1 September 690 to 31 August 691. If, then, the Council in canon 3 speaks of the 15th January in the "past" Indiction four, it means January 691, but belongs itself to the fifth Indiction; therefore, it was opened after 1 September 691 and before 1 September 692."⁵ In point of fact, ten or eleven years passed from the Sixth to the Penthekte, and not twenty-seven, as the Latins affirm.

Patriarch Tarasios at the Seventh Ecumenical Council (787) considers the Penthekte as the Sixth Ecumenical Council and does not separate it or put it aside as a special Council. Following this spirit, the canonist John Zonaras observes that "the Penthekte is also called Sixth, not because of faith, since dogmas were not discussed in it, in order for it to be considered and understood as a separate council, but because of the 'insufficiency' (hysterima) of the Sixth, which the Penthekte completed through its exposition of canons. Furthermore, since it followed the Sixth, it was numbered together with it."⁶

The Council's conscience (syneidesis) was primarily the accomplishment of canonical work, the "insufficiency" (hysterima) applying not only to the Sixth Ecumenical Council, but to the Fifth and Fourth as well. For

⁴Cf. *Histoire Ecclésiastique*, 40, 19.

⁵Cf. Hefele, *History of the Councils*, 5, p. 222ff.

⁶Ralles-Potles, *Syntagma theion kai hieron kanon*, 2, p. 294.

this reason, it kept the name of "Penthekte Ecumenical Council."

This conscience of the Council and its ecumenicity were clearly expressed firstly in the salutatory address (prosphonetikos logos) which the Council made to Justinian using the argument that because "the two holy and ecumenical synods held in this royal (basiliada) and God-protected (theophylakton) city did not produce holy canons concerning the mystery of faith, as had the four previous Ecumenical Synods from then on this holy and God-selected Synod will be considered Ecumenical."⁷

It is true that the Penthekte's effort was towards a "recapitulatio codificio" of the canons of the previous Ecumenical Councils and local synods of the fourth and fifth centuries. But why did this happen? What was the necessity and motivation for the Church to proceed with such a decision?

Justinian faced the particular situations of his time. He was confronted with a society which was in a process of social changes, of questioning Christian and human values. The Church was affected in a similar way. Issues concerning the clergy, the bishops, marriage and penitential discipline were the first priority. Therefore, a strong social motivation obliged the emperor to call for an episcopal assembly on his personal initiative for the benefit of the Church, and of his empire as well.

The decrees were signed first by the emperor, the next place being left vacant for the pope; then followed the subscriptions of the patriarchs of Constantinople, Alexandria, Jerusalem, and Antioch, 227 bishops or representatives of bishops in all. It is not quite certain whether any of the Patriarchs were present except Paul of Constantinople. Blank places were left for the bishops of Thessalonike, Sardinia, Ravenna and Corinth. The Archbishop of Gortyna in Crete added to his signature the phrase: "Holding the place of the holy Church of Rome in every synod." He had in the same way signed other decrees; whether his delegation on the part of the Roman Synod continued or was merely made to continue by his own volition, we have no information.

On the other hand, Pope Sergios refused to sign the decrees when they were sent to him, rejecting them as "lacking authority" (invalidi) and describing them as containing "novel errors." With the efforts to extort his signature we have no concern other than to state that they finally failed. Later on, in the time of Pope Constantine, a middle course seems to have been adopted, a course subsequently in the ninth century thus expressed by Pope John VIII; "he accepted all those canons which did not contradict

⁷ *Mansi*, 11, 933.

the true faith, good morals, and the decrees of Rome," a truly notable statement! Nearly a century later Pope Hadrian I distinctly recognizes all the Trullan decrees in his letter to Tarasios of Constantinople and attributes them to the Sixth Synod. "All the holy six synods I receive with all their canons, which rightly and divinely were promulgated by them, among which is contained that in which reference is made to a Lamb being pointed to by the Precursor as being found in certain of the venerable images." Here the reference is without doubt directed to the Trullan canon 82.

Upon the canons of this Council we must note the following:

1) That, save its acceptance of the dogmatic decisions of the six Ecumenical Councils, contained in the first canon, this council had an exclusively disciplinary character; and consequently, if it should be admitted by the particular churches, these would always remain, on account of their autonomy, judges of the fitness or non-suitability of the practical application of these decisions.

2) That the Eastern Churches have never pretended to impose this discipline upon the practice of the Western Churches, especially as they themselves do not practice everywhere the hundred and two canons mentioned. All they wished to do was to maintain the ancient discipline against the abuses and evil innovations of the Roman Church, and to make her pause upon the dangerous course in which she was already beginning to enter.

3) That, if among these canons some do not apply to the actual present state of society, e.g. the 8th, 10th, 11th, etc; and if others — framed in a spirit of transition between the then Eastern customs and those of Rome — do not appear as logical or as wise as one might desire (e.g. the 6th, 12th, 48th, etc.) nevertheless, many of them are marked with the most profound sagacity.

The Penthekte within the Conciliar Process

No one today could engage in dialogue without reference to an "Ecumenical Council" or Synod. In any case, we could not get far into a serious study or analysis, either historical or canonical, of the councils or the Penthekte in particular without paying some attention to the people of God (pleroma) or to the Church of the time in which she is living and witnessing from the present until the eschaton.

The main purpose of the councils is to safeguard the faith trans-

mitted by the early Church through the Apostles and to enlarge the understanding of revealed truth, "aletheia." The councils are the place where, under the guidance of the Holy Spirit, assembled Fathers and delegates defend the immutable Revelation, given once for all, against the challenge of the heretics, or formulate it to meet the needs of the times. Enlightened by the Holy Spirit, the interpretative powers of those thus assembled increase and their insight into the meaning of doctrine continues to deepen.

A further justification of this procedure lies in the fact that the Christian revelation gradually achieved full maturity, thus vindicating that which had been transmitted. When the Church defined doctrine and Tradition, she added nothing new to the Revelation, but merely made explicit what had always been implicit in the organical deposit of faith. Doctrinal definitions were neither more or less than logical and necessary explanations of the respective dogma, whose essential content remained unchanged. Only its expression had to be reformulated in relation to the language and context of the time. Nothing was added "ab extra" to the Revelation; it was only a matter of accommodating oneself to the thought of a particular period of history.

Certain ecumenical councils are traditionally accorded a special status, other councils are measured by these and interpreted in their light, or in the light and decisions of previous, ones as in the case of the Penthekte council. Such elaboration and more precise definition of the doctrine and the council's results are part of an inevitable procedure of the "Conciliar process" of all the councils. Thus the council becomes the common doctrinal, but also the pastoral and spiritual, heritage that was committed to the apostles, and through them to the whole worshipping community, requiring within the Church a continuing authority, entrusted with the preservation of the Christian revelation against corruption, error, or at the least new attempts for changes.

Therefore an ecumenical council may not produce canons itself, but reaffirms, revises or even receives decisions of previous councils that have reached the degree of reception by the conscience of the Church, and is considered to be the highest "authority" in matters of faith and discipline for the ecclesial life and for the whole "pleroma" of the Church. Thus the infallibility of the councils rests principally on the infallibility of the Church, which can never be unfaithful to the mission entrusted to her by her head, Jesus Christ. Since his resurrection, he gives life by sending the Com-

forter, the Spirit of truth (Jn 14.17), because the Church is not simply a society of believers, but his mystical Body.

Since the life of the Church is involved also in the historical process, her doctrine, which is a result of her conciliar process, is also subject to this historical development. As a divine institution, however, the Church cannot undergo a pragmatic evolution any more than the Spirit residing in her can increase or decrease.

In her supernatural fullness, her essence is immutable; insofar as she is human, however, she lives and develops within time and space. This historical development of the Church can be traced in the struggles of the councils against various heretics, but also in the formulations of a penitential discipline that the Penthekte directly or indirectly intended.

The conciliar decisions reflect precisely the forms of life and in particular the currents of their day and epoch. The Church's dogmas sprang from the necessity of understanding and interpreting her tradition in a new way, in the light of the Church's experience. The Penthekte could precisely be interpreted in the perspective of today's needs, while at the same time remaining in the perspective of the conciliar process that was established centuries ago.

This is why, in principle, new definitions or interpretations are always possible. This applies only to the external form, however, not to the actual truth-content. Tradition and truth, "*paradosis kai aletheia*," are thus rigid and static without possessing a rocklike immobility, a condition of weakness rather than strength.

Relative fluidity is potentially creative and provides a great help and service to the whole life of the Church, in any time and epoch. The actualization of this creativity is not and should not be seen as a function of a few scholars, but as a concern of ecclesial life as a whole. It is a catholic act, a contribution to be made by the whole body, with the participation of the people of God, "*laos tou Theou*," taking into account both the faith of the Church Fathers and the needs of the present age.

The Penthekte has to be interpreted in our time in this way, and in this actualization the lifegiving Spirit, resident in the Church, manifests himself. In all the ecumenical councils and synods we meet the new in the old and the old in the new.

There is a conciliar "*perichoresis*" which has a beginning without an end, and which continuously reflects and responds to any time and con-

text. In this harmonious process the hierarchical church and the *pleroma* work together and, as Isidore of Pelusium says, "any disunion constitutes a violation of this harmony."⁸ Those who would relieve the people of of God of this participation surely maintain a peculiar and destructive view. Orthodoxy stands fast by the conciliar concept, by a synodal system, "synodikon systema," in contradistinction to a monarchical ecclesiology, where one imposes upon the others. Orthodoxy advocates deliberation within the framework of an assembly, convocation, synod, or a council, in the perspective of free expression, transparency, truth and love.

The Orthodox church is the church of the councils, and is equally opposed to authoritarian and individualistic extremes. Orthodoxy looks upon the Church as a collectivity, a unanimity, a synthesis of authority and liberty-in-charity which animate the faithful within the Church. Synodical pronouncements, moreover, are not the product of individual reasoning, but of the mystical unity that links the past to the present, and the "ecclesia militans" to the "ecclesia triumphans." In the Trullo Council and in every council we see a new Pentecost, a new effusion of the Holy Spirit. The Spirit gives life for, as in the book of Acts, "all who believe" are "together" (*homothymadon, epi to auto*, Acts 2.44,46).

This "togetherness" is the heart of Orthodoxy because it indicates that individualism has been abandoned in order that the ultimate reality, the supra-individual community, "*societas*", may be attained. It is clear that this system does not exclude diversity and openness of thought. Already in the first century one hears Paul saying that the body has many members (1 Cor 12.19-20). But this diversity does not lead to essential, qualitative differences or separations. On the contrary, it opens new horizons for the Church, actualizes her and brings her into a new reality, where she witnesses and speaks in the hearts of the people of God.

This is why the canons of the Penthekte, before they became binding, had been accepted by the conscience of the Church. A blind and passive obedience is alien to Orthodox understanding and tradition. Custom has made it mandatory that doctrine be accepted on the basis of conscience, rather than through force or fear; everyone must accept in conscience that which is common belief and life.

Orthodox theology lives in a continual Pentecost. It finds the pattern for the direction of the Church in the synodal system, in the collegial togetherness that finds expression in the conciliar process, and it sees the energizing

⁸Cf. Epistle 2, sec. 246; PG 78.684-85.

power for this task. By way of contrast, the monarchical conception of the West sees the privileged see of Peter as sustaining the life of the Church. Peter is said to be the first among the Apostles, the sole vicar of Christ, the possessor of the fullness of power. Neilos Kabasilas, Archbishop of Thessalonike, refuted the pretended papal sovereignty which claims an authority of its own standing above the voice of the councils.⁹ For this reason, the West finds it difficult to accept the Penthekte in its own conciliar process, by trying to argue with historical and juridical facts.

Orthodoxy distinguished, therefore, between episcopacy and apostolicity in that it insisted that the apostolic dignity belongs to the entire Church. All church members share in these "privileges" for the mystical body of Christ is no institution or organization, as Paul Evdokimov used to say, but a divine-human organism, the life of God pulsating through humanity, a sacramental community.¹⁰

Furthermore, the canons we are examining undermine the accepted meaning of revelation as God's self-disclosure in a form that can be communicated. We may readily admit that God has made himself known not by uttering detached, abstract statements or formulas, but by giving his Incarnate Son, the Logos, who took flesh, died and rose again for us.

There is the authentic response of the human heart to God's self-revelation—the demand to hear from the Council's canons what God has done rather than to hear a *bare* statement about God's transcendent being—and the Church is convinced that she can meet that demand. But the basic assumption is that there are a divine plan and action to be told, and it is just this supposition that doctrines from the "event" of an ecumenical council" seem to underscore.

This glimpse of the *rise* of Christian dogma out of the apostolic witness to Christ is enough to show how intimately theology and canons are related to the Christian revelation itself. Theology and canons can really translate and explain the truth of the Christian message, without distorting its essential nature. Theology and canons do not simply preserve the core of Christian truth from one time and place to another. They enlarge our understanding of Christian life, the true life in Christ, by spelling out its meaning more fully and in fresh ways. What the Apostles have seen in Christ and experienced through the Spirit is delivered to the Church to rule her faith and the life of her people of God.

This apostolic witness or tradition obviously has two sides. On the one

⁹ *De Dissidio Ecclesiarum. De Primatu*, PG 149.685.

¹⁰ Cf. P. Evdokimov, *L'Orthodoxie* (Neuchâtel-Paris, 1959) p. 127.

hand, there is the act of witnessing or handing over; on the other hand, there is what is witnessed to or handed over. Talk about witness or tradition makes no real sense unless we allow for both these aspects. A witnessing that does not witness to something is meaningless, while a tradition that is not constantly being handed over is dead. Clearly, then, any discussion of the Church's reform will have to take account of both the act and substance of traditions. We shall find that act and substance are closely interwoven in Ecclesial life, but it will still be necessary to note an important distinction between them. Nevertheless, the Church can and must return again and again to the apostolic fountainhead of her teaching and reality, because the apostolic witness to Christ is given to her in definite, objective form by which all other witness can be judged and analyzed.

For one thing, the Fathers of the ecumenical councils and of the Penthekte in particular showed a strong sense of the weight of tradition. They tried to judge proposed interpretations of Christian doctrine and understanding according to apostolic norms, accessible to all in the historic structures of the church, and when it proved necessary to make fuller explanations, they scrupulously followed the same standard. Their whole attention was given to the safeguarding of the Good News, of the Gospel itself, and they had no interest in elaborating definitions and canons merely to satisfy intellectual curiosity or devotional aspiration. They did not deny that it is legitimate, or indeed desirable, for theology to explore and for devotion to express itself within the broad limits of recognized Christian truth, but their overriding concern was to secure the foundations of Christian faith.

Certainly when they did define dogma and canons, it was with the awareness that the Holy Spirit guides the Church to construe and express her tradition faithfully and rightly, and in the conviction that their own statements and canons were used by the Holy Spirit for the declaration of truth and life. But their prior conviction was that the Spirit who guides the Church had spoken for all time through the apostolic witness to Jesus Christ, and their sense of responsibility to the Spirit himself kept them from defining the faith apart from the clear testimony of apostolic tradition.

Another important feature of the Penthekte Council was its being rooted in the common life of the whole Church. Its debates and definitions were part of a wider deliberative process, and not isolated events. It met and spoke to safeguard the truth and life in Christ, which God's people had received and by which they lived and have to continue to live. A true Ecu-

menical Council like the Penthekte is obedient to the rule of apostolic tradition; it honestly tries to cut through the tangle of conflicting human opinions, ways of life and ambitions to a clearer view of God's truth; and its conclusions pass the test of conscientious and reflective scrutiny by the Church at large.

What has just been said, comes to this: ecumenical councils in the life of the Church are those councils whose universal authority has been recognized by the Church as a whole and no council can make good a claim to ecumenicity apart from such recognition. I am referring to this due to the various difficulties that the West is facing in order to recognize the Penthekte Council as ecumenical and also to accept a certain number of its canons. The Church recognizes a council as ecumenical, she does not make it ecumenical. In a way, the relation of councils to the Church is like the relation of Scripture to the Church. When the Church agreed on the canon of the New Testament, she did not make twenty-seven books authoritative; their authority as the embodiment of the inspired apostolic witness is intrinsic.

It seems to be true to the facts of history that even the most confident decision or canon of an Ecumenical Council is really a *question* rather than an *answer*. Its status depends on whether it secures the desired acceptance, or perhaps one would better say recognihon, by the Church at large. One may thus bring into the picture the councils which preceded or followed almost every one of the ancient ecumenical councils. The Church answered "yes" to Nicea and "no" to its Arian counterparts.

How Does the Church Respond to Possible Reforms of Certain Canons Today, and at What Cost?

Historians and theologians may perhaps agree that God has led his Church in many ways sometimes by conciliar decision, accepted after very human disputes, sometimes by the slow spread of a common conviction which saints and scholars formulated, but to which 'the holy people of God, "the holy nation," ultimately gave authority. The Church is neither a political democracy nor an earthly autocracy. It is something more wonderful than either the family of God) and the kingdom of his Son, the fellowship of the Holy Spirit.

In principle, the Church can find her way under all circumstances and in every concrete situation. The major danger is, however, elsewhere, namely

in a wrong interpretation of the "other-worldly" character of the Church. We must be careful that reform(s) in the Orthodox Church produced schisms, divisions, hostilities, separations, alienation, suffering, and painful situations which still continue today in her ecclesial life.

It is true that we are always referring to the miracle words or expressions "a reform is needed," a kind of renewal, but we have never carefully reflected on such a process in a deeper, more spiritual, pastoral and discernible way. Orthodoxy today does not need a "new Luther" or a reform as in past centuries. We have experienced enough the results in the ecumenical movement.

We are not looking for a new division in the Church, for new branches or "new churches." We have to see how the church of Christ can live in this time and space, and how she can respond openly, spiritually, honestly, realistically and pastorally to the needs of her faithful. A new interpretation is needed, and the appeal of such a process will be a challenge to her. That voice and appeal of the Church for which we look is not that of the East without the West or that of the West without the East; it is not of Constantinople without Rome or of Rome without Constantinople; it is not of the first centuries alone, or the fourth, the eighth, the sixteenth, or the twentieth; it is not of any particular place or any particular time. She is, in regard to both time and place, properly apostolic, universal and catholic, holy and one. The Church is not only an affair of human beings; she is not only ours, she also belongs to the Triune God, to his creation and to the Holy Spirit, who guides and sustains her for all eternity.

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Mandatory Celibacy as a Requirement for Episcopacy

PETER L'HUILLIER

To begin with, I must formulate a remark. Within the framework of a twenty minute presentation, nobody can expect a thorough investigation of the subject at hand. Those who would like to get a more complete insight into the historical development of that institution and into the factors at work in such a development can read my article "Episcopal Celibacy in the Orthodox Tradition."¹ For the sake of clarity, I have divided my presentation into three parts. In the first part, I will provide an historical survey. Thereafter I shall analyze the legislation of the Council in Trullo. Finally, I will try to situate the context in which the well groundedness of episcopal celibacy is questioned.

Let us mention that finding a starting point in the present historical investigation is difficult. I do not think that it would be appropriate to begin earlier than the third century. One can object that thereby I do not take into account the Pauline Pastoral Letters. Actually, the passages of those writings which deal with the *episkopoi* and *diakonoi* belong to the literary genre called "Haustafeln." They indicate the moral qualities expected from those categories of persons.

That from the emergence of the "historic episcopacy" there were married bishops does not constitute a controversial matter. But the questions which cannot be answered bear on the following points: During the span of time between the third and fifth centuries, what was the ratio of celibate to married bishops? How many bishops and other clerics deemed it good to observe continence after their ordination? To be sure, there was an evolution on those two points during that period. For the third century and the

¹ *St. Vladimir's Theological Quarterly*, 35(2-3), 1991 pp. 271-300.

beginning of the fourth, given the lack of evidence, no hypothesis can be set forth. But with regard to the end of the fourth century and the whole of the fifth, direct and indirect testimonies allow us to say that, in the East, a substantial number of bishops observed continence. Nevertheless, it is impossible to speak of a rule (κανών) even though this did represent a growing tendency.

In the process which eventually led to making celibacy a legal requirement for the episcopacy, several factors were at work. I would like to point out that none of them, considered separately, would have produced this result; furthermore, they do not carry equal weight. The first factor at work is the strong ascetic current which was constantly present in ancient Christianity from its very beginning. Analyzing this phenomenon would lead us far astray from the focus of our study. Moreover, a great amount of literature is easily available on this issue.² The fact that the Church Fathers have repeatedly singled out the "Encratites" as heretics should not be misrepresented. Actually, it was not so much their ascetic practices which were condemned as the doctrinal presuppositions of their behavior. When the distinction between clergy (viz. bishops, priests and deacons) and laity was well established, some voices started to suggest that permanent continence fit in with the exercising of sacred functions.³ Controversies on this issue went on in the entire Church during the fourth century but toward the end of that century, they took a different turn in the West than in the East. In the West, the Papacy took a strong stand in favor of permanent sexual abstinence for the clergy. The decretal issued by Pope Siricius in 385 constituted a landmark on this point.⁴ In the East, things evolved differently. No attempt was made to impose celibacy on the clergy.

It is noteworthy that the Synod of Gangra (c. 340?) anathematized those who did not accept communion from married priests.⁵ But it is also during the fourth century that episcopal celibacy tended to become a widespread custom. On the one hand, this fact cannot be seriously questioned. On the other hand, determining how fast this custom expanded is problematic since

² See e.g. James Brundage, *Law, Sex and Christian Society in Medieval Europe* (Chicago-London, 1987); Peter Brown, *The Body and Society: Men, Women, and Sexual Renunciation in Early Christianity* (New York, 1988).

³ Tertullian, *De exhort. cast.*, 23, 4, C.C., 2, 1035. Origen, *In Levit.*, Hom. 6, 6, G.C.S. 29, 369-70.

⁴ "Ad Himerium," §§ 8-9, *Enchiridion Symb.* 89.

⁵ Can. 4. Let us notice the tendentious Latin translation of Dionysius Exiguus: "προεβυτέρου γεγαμηκότος" is translated as "*presbitero qui uxorem habuit*," *Fonti*, fasc. 9, 1, 2 (Rome 1962), p. 91.

evidence is faint. We should bear in mind that until the sixth century, episcopal celibacy was not enforced by legislation but remained in the realm of custom. Nonetheless, this does not mean that we do not have some data allowing us to identify the factors at work in this process.

First, I have to substantiate my assertion that during that period (middle of the fourth century-beginning of the fifth) celibacy became the prevalent state of life among the Eastern episcopate. Because of the lack of written evidence on this matter, it is not surprising that the adduced evidence is mostly based on arguments from silence.

As mentioned previously, canon 4 of the Synod of Gangra anathematizes those who will not partake of the oblation offered by a married priest; however, the canon does not allude to bishops. This omission can hardly be viewed as fortuitous but rather suggests that c. 340, in that part of the Pontic regions, there were very few married bishops.

That many bishops practiced continence can be inferred from an incidental remark made by Saint Gregory the Theologian in 381 which referred to catechumens who wanted to be baptized by a bishop, or at least by a celibate priest.⁶ This wish seems to suggest that bishops were also supposed to be continent.

Another proof of the prevalence of celibacy among bishops can be drawn from a text of Saint Epiphanius (d. 403), an eager proponent of clerical celibacy. He had to acknowledge that in some places the "rule" (κανὼν) of perfect continence was not enforced on priests, deacons or subdeacons. According to his assertion, such a situation results from the lack of suitable candidates.⁷ Roger Gryson rightly notes that bishops are not included in this enumeration.⁸ Very relevant to the present inquiry is the oft-quoted statement made by Synesios of Cyrene, elected to the episcopal dignity in 410. He reluctantly agreed but set forth a condition: "God, the law, and the sacred hand of Theophilus have given me a wife. Therefore, I publicly proclaim and testify that I shall not be separated from her nor shall associate with her surreptitiously like an adulterer. The former option would be impious, the latter unlawful."⁹ This statement is very significant because, in this case, we can speak of direct evidence. Undoubtedly, Synesios' statement indicates that such a request ran counter to a well-established custom in the Patriarchate area of Alexandria.

Now we should try to identify the factors which molded the Church's

⁶ Orat. 40, PG 36.396B.

⁷ Haer. 59, 4, 1-7, G.C.S. 367, 7; 368, 12.

⁸ *Les origines du célibat ecclésiastique* (Gembloux, 1970) p. 63.

⁹ Epist. 105, PG 66.1485A.

position in the East on episcopal celibacy. Surely, the idea that celibacy was the most suitable state of life for bishops did not suddenly arise in the consciousness of the Easterners during the second half of the fourth century. However, it cannot be denied that by that time this idea gained ground under the influence of situational factors. Furthermore, we must explain briefly how the discipline of clerical celibacy took another path in the West.

Exalting virginity was a common theme in the ethical teaching of early Christianity. The bishop as the leader of his Church was expected not only to praise this state of life but also to set an example. With the spectacular growth of Christian communities, especially in large cities, there were many female virgins organized in orders. The bishop himself received vows. He was the mentor and protector of those women. Such a position was hardly compatible with marriage.

From the emergence of the episcopacy, the bishop was considered as the manager of all church goods and property. This situation started to raise problems when, in 321, Emperor Constantine enacted a law allowing the catholic Church to receive donations and endowments.¹⁰ Thenceforth the wealth of the bishoprics of the large cities grew considerably. Under such circumstances, canon law had to specify that the bishop's personal property and that of the Church must be clearly distinguishable.¹¹ Yet, in spite of canonical provisos,¹² implementing this rule was difficult. Rightly or wrongly, married bishops often fell under suspicion of embezzlement for the benefit of their children.

What was the impact of monasticism on the growing tendency toward the celibacy of bishops? Dealing adequately with this issue would need a thorough historical inquiry which is out of the question within the framework of this short paper. Suffice it to formulate some brief remarks. At the initial phase, the influence of monasticism on the episcopate was not very significant. But this situation changed toward the last decades of the fourth century and, in fact, by that time many bishops were recruited from among the monastics. This shows that an ascetic training was held as an adequate preparation for the fulfilling of episcopal duties. Thenceforth some characteristics of monastic life, including of course continence, started to be associated with episcopacy.

The bishop has always been considered as the father of his flock. At a time which cannot be exactly ascertained, this concept of universal fatherhood led to the feeling that the position precluded family concern.

¹⁰C. Th. 16, 2, 4, O.C. Analecta 192, p. 67.

¹¹ Antioch, canon 24; Apost., canon 40.

¹²Theophilus of Alex., canon 10; Chalc., canon 26.

Another idea is closely related to the former, viz. the concept of the existence of a strong mystical bond between the bishop and his church. We find this concept deeply rooted in the Christian mind in the fourth century and expressed as a commonplace thought by that time. This vision did not fit in very well with marital life.

All those considerations, with the exception of monastic influences, are delineated in the Justinianic legislation relating to mandatory episcopal celibacy.¹³

A study of the western discipline concerning the marital status of the clergy is outside the scope of this paper. Suffice it to mention that from the end of the fourth century this discipline diverges from that of the East as a result of different presuppositions. The main, not to say the only, reason for imposing permanent continence on the bishops and all the clerics "who handle the Holy Mysteries" (*qui sacra mysteria constrectant*) is the rule of ritual purity.¹⁴

The issue of episcopal celibacy was definitively settled during the reign of Justinian (527-565). We can assume that, at that time, there were few married bishops and the law did not affect them, since it had no retroactive effect.¹⁵ Thus we should keep in mind that, when the Council in Trullo was convened (691) episcopal celibacy was the rule in vigor for more than a century. The fathers of that Council did not intend to re-open the case. Canon 12 has to be situated in its life-setting. The text noticeably does not contain an ordinance on the principle of episcopal celibacy, which is taken for granted. The canon is composed of two parts. In the first, the fathers of that Council mention that in Africa, Libya, and in some other places, the bishops continued to cohabit with their wives. In all likelihood, the phrase "and other places" (καὶ ἑτέροις τόποις) refers to Illyricum, then a part of the Roman Patriarchate. In the West, legislation was in flux. The bishops, priests, deacons and sub deacons had to observe the rule of permanent sexual abstinence. However, they were allowed to live with their wives. Surely, more often than not, this situation raised suspicion among the faithful (τοῖς λαοῖς) and had to be henceforth suppressed.

The second part of the canon constitutes an attempt to justify this specific requirement. The members of the Council were anxious to show that

¹³ C.J. c. 1, 3, 41, C.J.C. (Th. Mommsen) 2, 25-26. Ibid. 1, 3, 47, C.J.C. 2, 34. Nov. 6, 1, C.J.C. 3, 36-37. Ibid. 6,5, C.J.C. 3, 42-43. Nov. 123, 1, C.J.C. 3, 176.

¹⁴ Gryson, *Les origines*, pp. 127-60. On the lengthy process of implementing celibacy in the Western Church, see Anne Llewellyn Barstow, *Married Priest and the Reforming Papacy* (New York-Toronto, 1982) pp. 19-104.

¹⁵ Nov. 6, 1, C.J.C. 3, 36-37.

they did not intend to overthrow the Apostolic legislation (τῶν ἀποστολικῶς προνομοθετημένων). Beyond any doubt, the council had in mind canon 5 of the Holy Apostles.¹⁶ Perhaps the fathers of the council would have been less embarrassed if they had known that this collection of 85 Apostolic canons was a compilation made during the end of the fourth century.¹⁷ Canon 5 states: "Let not a bishop, priest or deacon put away his wife under pretense of piety; but if he put her away, let him be excluded (ἀφοριζέσθω). If he persists, let him be deposed." The lack of historical criticism and the assumption of the immutability of disciplinary matters explains the apologetic tone we find in the second part of the canon. It also explains the unconvincing arguments set forth by the Byzantine commentators and later on by Saint Nikodemos the Hagiorite in the *Pedalion*.¹⁸ Despite this weakness, the authors of canon 12 mentioned *inter alia* the true reason for their ruling, viz. "not [to] give scandal and offense to the people" and "to care for the salvation of the people and their advance to better things." This means that the council prioritized pastoral concerns. However, the expression of this pastoral attitude should not be misinterpreted. The issue at stake is not the well-groundedness of episcopal celibacy; rather, it is the reconciliation of the requirement for a married bishop-elect to put away his wife to the Christian doctrine which, in other cases, reproves such an action.

Canon 48 of the same council deals with three points related to canon 12. First, it clearly establishes that the dissolution of the marital bond in the case of a married bishop-elect results from a divorce by *mutual consent*, i.e. not from a unilateral repudiation. The agreement implies that the former wife will accept moving into a nunnery. Furthermore, the bishop must materially provide for his former wife.

The insistence we find in canon 13 on the legitimacy of marriage for the priests, deacons and lower clergy stands in sharp contrast to the stricture imposed on the bishop. Analyzing the content of canon 13 lies beyond the scope of the present study. Nevertheless, a point is to be mentioned: Emphasizing the fact that permanent continence is not a requirement for the exercise of Sacred functions implies that the rule of celibacy for bishops is not based on the principle of ritual purity. Hence, we may legitimately infer that the reasons for episcopal celibacy, as set forth in the legislation

¹⁶ See the comments of Zonaras, Balsamon and Aristenos, Rhallis and Potlis, 2, pp. 33-333.

¹⁷ Marcel Metzger, *Les Constitutions apostoliques*, 1 (Paris, 1985) *Sources Chrétiennes*, 320 pp. 57-60.

¹⁸ On those arguments see my aforementioned article, p. 285.

of Justinian were supposed to be well known. Therefore the fathers of the Council in Trullo did not deem it necessary to re-state these reasons. They intended to implement the Justinianic legislation everywhere. Besides, they emphasize that the rule of episcopal celibacy was strongly based on pastoral concerns.

In the area of church order, the legislation of Justinian is mostly conservative. In general, the religious laws embodied in the *Corpus Juris Civilis* either were ecclesiastical rules made more explicit or the consecration of existing customs. This was the case with the legal enforcement of the widespread custom of episcopal celibacy. We can understand why this ruling did not encounter opposition.¹⁹ Nowadays among the Orthodox, we find some people advocating an alteration of the present discipline. According to their views, married priests must be allowed to become bishops, without any change in their marital status. Supposedly, this would be nothing else than a return to the situation prevailing in the Eastern Church prior to the Council in Trullo.²⁰ The supporters of this reform point out that episcopal celibacy is not a doctrinal matter and consequently what has been decided by a general council can be rescinded by another. That episcopal celibacy does not constitute a Church dogma is a correct assertion. However, the problem is far more complex than it can look at first glance.

As we have seen, the generalization of episcopal celibacy in Eastern Christendom was a phenomenon which appeared long before the time of the Trullan Council and has become part and parcel of the fabric of the episcopacy for at least fourteen centuries. The upholders of that reform underscore that the Council in Trullo justified its stand only on the basis of pastoral considerations which nowadays have no relevance. As we have also seen, this assumption rests on a wrong analysis of canon 12. Furthermore, even if a "Panorthodox Synod" would approve such a change, it is extremely dubious that this reform would be received by the fullness of the Church. In this case, I do not think that the opposition would come only from ultraconservative elements. Under such circumstances, I think, that efforts to put this question on the agenda would have a terribly divisive effect on the Church.

¹⁹ Meletios Sakellariopoulos, *Ἐκκλησιαστικὸν Δίκαιον* (Athens 1898) p. 159.

²⁰ On the reasons adduced in favor of this change, see my article, "Episcopal Celibacy" pp. 297-98.

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Marriage: The Sacrament of Love and Communion

ALKIVIADIS C. CALIVAS

My task is to provide a backdrop for the ensuing discussion on the problems, challenges, and opportunities of intra-Christian and interreligious marriages by setting forth a summary reflection on the theology of marriage from the perspective of the Orthodox Church. The paper does not concern itself in a direct way with the theme of the Conference, nor does it touch upon the historical development of the sacrament of marriage.

Several years ago Father Theodore Stylianopoulos wrote an excellent and insightful study on the sacrament of marriage. He entitled the paper, "Toward a theology of marriage in the Orthodox Church."¹ The author's title, I believe, does not suggest the absence of a theology of marriage in the Orthodox Church. Indeed, in the past decades several Orthodox theologians from here and abroad have published important books and articles on the subject.² But it does point to the need for a more developed, system-

¹ Theodore Stylianopoulos, "Toward a Theology of Marriage in the Orthodox Church" *Greek Orthodox Theological Review* 22.3 (1977) 249-283.

² Others who have written on the subject include: Stanley S. Harakas, *Living the Faith* (Minneapolis, MN, 1992) 225-258; William Basil Zion, *Eros and Transformation-Sexuality and Marriage: The Eastern Orthodox Perspective* (New York, 1992); the author discusses a wide range of subjects related to marriage, including a brief analysis of the literature on marriage produced by modern Orthodox theologians Charalambidis, Yannaras, Evdokimov, and Lampert. John Chrysavgis, "Love and Sexuality in the Image of Divine Love" *Greek Orthodox Theological Review* 35.2 (1990) 101-112; and "The Sacrament of Marriage: an Orthodox Perspective." *Studia Liturgica* 19.1 (1989) 17-27; Vigen Guroian, *Incarnate Love: Essays in Orthodox Ethics* (Notre Dame, IN, 1987) 79-114; the author is a priest of the Armenian Church. John Meyendorff, *Marriage: An Orthodox Perspective*

atic, and comprehensive treatment of the subject: especially from the perspective of modern biblical, patristic, liturgical, ethical, canonical, and historical studies, with due consideration as well to those useful insights provided by the natural and social sciences on the nature of human personality, sexuality, and behavior.

The intent of this paper is to raise the vision of Christian marriage as it is understood, celebrated, and proclaimed by the Orthodox Church. The paper does not pretend to be complete in the treatment of this complex and multifaceted subject. It is divided into several sections. The introductory part deals with the fundamental aspects of the vision of marriage and how that vision can be enfolded by the couple. It also refers to the new identity the couple acquires through marriage. The subsequent sections delve deeper

(Crestwood, NY, 1985). Paul Evdokimov, *The Sacrament of Love* (Crestwood, NY, 1985); this is the English translation of the earlier French original. Christos Yannaras, *The Freedom of Morality* (Crestwood, NY, 1984) 157-172. Olivier Clement, "Life in the Body" *The Ecumenical Review* 33.2 (1981) 128-146. Alexandros M. Stavropoulos, "The Understanding of Marriage in the Orthodox Church" *One in Christ* 15.1 (1979) 57-64. Stephanos Charalambidis, "Marriage in the Orthodox Church" *One in Christ* 15.3 (1979) 204-223. Demetrios J. Constantelos, *Marriage, Sexuality, and Celibacy: A Greek Orthodox Perspective* (Minneapolis, MN, 1975). Philip Sherrard, *Christianity and Eros* (London, 1976); and "The Sexual Relationship in Christian Thought" *Studies in Comparative Religion* 5:3 (1971) 151-172. Serge Verkhovsky, "Creation of Man and the Establishment of the Family in the Light of the Book of Genesis" *St. Vladimir's Theological Quarterly* 8.1 (1964) 5-30. George Khodre, "A Great Mystery: Reflections on the meaning of Marriage" *St. Vladimir's Theological Quarterly* 8.1 (1964) 31-37. Athenagoras Kokkinakis *Parents and Priests as Servants of Redemption* (New York, 1958). Nicon Patrinos, "The Sacramental Character of Marriage," *Greek Orthodox Theological Review* 2:1 (1955) 118-132. See also the articles in the special issue of *St. Vladimir's Theological Quarterly* on the themes of marriage and the family. John Chirban, ed., *Marriage and the Family* (Brookline, MA, 1983); *Marriage: Documents of the Orthodox Church in America* (Syosset, NY, 1980.) and *Women and Men in the Church* (Syosset, NY, 1980). Also of interest are the following popular works, especially useful for catechetical instruction: George Nicozisin, *Crowns of Honor and Glory: Your Marriage in the Orthodox Church* (St. Louis, MO, 1990). Stanley S. Harakas. *Guidelines for Marriage in the Orthodox Church* (Minneapolis, MN, 1979). Anthony Coniars. *Getting Ready for Marriage in the Orthodox Church* (Minneapolis, MN, 1972).

into the meaning of the vision. The discussion centers on three topics: the elemental conditions for and the essential characteristics of Christian marriage as well as its foundational qualities and purposes.

A brief explanatory note may be helpful before we begin. The vision of normative Orthodox marriage is lofty and may appear to the casual observer as an unattainable ideal and therefore discardable for its impracticality. Perhaps this would be true, at least partially, were it not for our faith that Christians are a new creation. They walk by the Spirit and are called to manifest the fruits of the Spirit (Gal 16.22). Marriage in the Lord cannot be viewed or understood apart from the new life in Christ. The nuptial union, like the whole of the Christian life, is placed into the realm of grace, into that power which flows from God and his Kingdom.

The Christian life, whether it is lived in a single or married state, is a resurrectional life. The Christian chooses daily to break the sway of culture, habit, and life's addictions. In the midst of the snares and temptations of every day life. Christian persons seek to live in communion with everything that is good, noble, natural, and sinless, forming themselves by God's grace in the likeness of Christ (Phil 4: 4-8).

Thus marriage in the Lord is given as a vocation, a charisma, and a hope. The sacrament of marriage in the Orthodox Church celebrates these realities. It introduces the husband and wife to the virtues of marital life and calls them to en flesh the vision of the ideal, living out its implications day by day in mutual love with faith, patience, and godly fortitude.

Also in recent years a number of studies have been written by Orthodox theologians in Greece among which are some of the following texts: Efthymios Stylios, *Ἄνθρωπος: Ἄρσεν καὶ θήλη* (Athens, 1990); Nikos Bougatsos, *Ἡ Ὁρθόδοξη Θεολογία γιὰ τὸ Σκοπὸ τοῦ Γάμου* (Athens, 1989); Philotheos Faros and Stavros Kofinas, *Γάμος* (Athens, 1989) and *Συζυγία* (Athens, 1987); also, P. Faros, *Γονεῖς καὶ Παιδιά* (Athens, 1989); Michael Kardamakis, *Ἀγάπη καὶ Γάμος* (Athens, 1989); Georgios Mavromates, *Τὸ Μυστήριον τῆς Ἀγάπης-Γάμος* (Katerine, 1988); Georgios Patronos, *Γάμος καὶ Ἀγαμία* (Athens, 1985); and *Ὁ Γάμος στὴ Θεολογία καὶ στὴ Ζωή* (Athens, 1984); Panagiotēs Boumes, *Θεώρηση καὶ Προβλήματα τοῦ Πολιτικοῦ Γάμου* (Athens, 1985); Megas L. Farantos, *Δογματικά καὶ Ἠθικά I* (Athens, 1983) 301-314; Chrestos Vantsos, *Ὁ Γάμος καὶ ἡ Προετοιμασία Αὐτοῦ* (Athens, 1977); Georgios Vergotes, *Ἡ Λειτουργικὴ Διάσταση τοῦ Μυστηρίου τοῦ Γάμου*, *Γρηγόριος Παλαμᾶς* 70:5 (1985) 136-157; Savvas Agourides, *Ἀγιογραφικά Κείμενα περὶ Γάμου*, *Ἐκκλησία* 21-22 (1971) 401-403, 515-517, 648-649, 669-671.

I. THE VISION OF CHRISTIAN MARRIAGE:

A VOCATION, A CHARISMA, AND A HOPE

Among the many icons depicting events in the life and ministry of our Lord Jesus Christ, there is one which portrays the wedding feast in Cana of Galilee. One arrangement of this icon depicts Christ, the Theotokos, the steward of the feast, another figure, and the bridegroom and bride who are seated at the banquet table bearing crowns on their heads.³ Significantly, in this particular composition two figures dominate the icon, Christ, who is shown blessing the couple while looking at the Theotokos, and the bride who is dressed resplendently in a white garment. Based chiefly on the nuptial imagery in the Book of Genesis and in the Letter to the Ephesians, this particular icon emphasizes the sacramental character of Christian marriage and highlights two of its essential elements.

The first of these elements is that God himself is the creator of the conjugal union. Marriage is willed by God. He is both the author and the celebrant of pure marriage.⁴ The icon depicts this truth through the figure of Christ, shown blessing the couple. The second element is that marriage, as a loving relationship, is modeled after the unique reality of the loving relationship between Christ and his Church. The way of life and love of two people is sustained and perfected in their oneness with God's love, which is a self-offering, covenant love. The icon depicts this truth by centering attention on the eternal Bridegroom, Christ, and his bride, the Church.

The nuptial bond is a divine gift. It was ordained by God in Paradise and exists to bring two people into full communion as they achieve fullness of being in God (Gen 2:18-21). Marriage brings us before the mysterious union of the human monad (Gen 5:1). The human being is a conjugal being (Mk 10: 7-9).

The Fall, which brought corruption and disfigurement to human nature, obscured the archetypal vision of the man-woman relationship. Sin infects

³This depiction is a fourteenth century wall painting in the St. Nicholas Orfanos Church in Thessaloniki and can be found in M. Acheimastou-Potamianou, *Greek Art: Byzantine Wall Paintings* (Athens, 1994) 162-163 and 248. For a brief description of the traditional icon of the Marriage at Cana see, Photios Kontoglou, *Ἐκφράσεις τῆς Ὁρθοδόξου Εἰκονογραφίας* (Athens, 1960) 160.

⁴This basic principle based on the creation narratives is reflected in the prayers of the marriage rite. For example, the second prayer of the Service of Crowning reads as follows: "Blessed are You, Lord our God, the celebrant (*ἱερουργός* - minister) of the mystical and pure marriage and the ordainer of the bodily [bond], the guardian of incontinence and the good provider of daily needs." See also Georgios Patronos, *Ὁ Γάμος στή Θεολογία καί στή Ζωή*, 21-29

the human person and as a consequence the quality of love and freedom in the nuptial community is compromised. The marital union is impaired and familial relationships become subject to temptations and distortions.

Christ, having redeemed humanity from the curse of sin and death, invites all people to appropriate for themselves the fruits of his cross and resurrection through his mystical body, the Church. All that he did once and for all for the salvation of the world has now passed over into the sacraments of the Church. The sacraments manifest the radical renewal and transfiguration of human nature and life. They allow persons to become partakers of divine life and perfection. Through them the powers of the Kingdom are made manifest and 'new life enters the human person as a real presence and gift, not as an obligation or magic.'⁵

Marriage, like the whole of the Christian life is formed sacramentally. The sacrament of marriage celebrates both the restoration of the conjugal union to its original order as well as its integration again into the realm of grace. The sacrament reveals to the couple the dynamic dimensions of mutuality, the loveliness of human sexuality, and the nobleness of procreation. Always in union with God, the husband and wife are graced to act together to heal and overcome the impotence of impaired masculinity and femininity, and thus rediscover and fulfill the original wholeness and communion of nuptial life.⁶

A marriage of faith is anchored in the sanctifying grace of the Incarnation. In such a marriage two unique and fragile persons, a man and a woman, are called to enter into the mystery of unlimited love and care in order to deepen in knowledge of each other and to become instruments of salvation and deification. Marriage derives its essential character from baptism and the Eucharist. Thus it is intimately related to the faith community and it receives its identity from its orientation towards the Kingdom of God. Marriage's primary context, therefore, is ecclesial. The couple becomes one body in a mystery of unity that has no fuller expression than that of the Church and the sacrament of the Eucharist.⁷

⁵ John Chrysavgis, "The Sacrament of Marriage: an Orthodox Perspective" *Studia Liturgica* 19:1 (1989) 17.

⁶ Stephanos Charalambidis, "Marriage in the Orthodox Church," *One in Christ* 13: 3 (1979) 206.

⁷ M. Francis Mannion, "The Four Elements of Love," *Liturgy* 4:2 (1984) 20. John Meyendorff, *Marriage: An Orthodox Perspective*, 22-26. M. Kardamakis, *Ἀγάπη καὶ Γάμος*, 97-104.

It is not without significance, therefore, that the Eucharist, at least through the ninth century, was the locus of the Church's rites of marriage. In the early Church, marriages of Christians were accomplished in accordance with the rites of their society. These marriages were then transformed into a sacrament of the Kingdom when the couple received holy Communion with the blessing of the clergy in the presence of the entire community of the faithful at the eucharistic assembly. The nucleus of the rites of matrimony known to us today were developed by the fourth century.

A Christian marriage which is celebrated and lived in faith becomes more than biological fact and more than a social custom or a legal institution. The sacrament consecrates the union of two persons into a single substance, making them into a living icon of God and a prophetic image of his Kingdom. United in the love of God, the nuptial community is called to become a little Kingdom, a house of God, and a domestic Church.⁸

These positive foundational affirmations about Christian marriage may seem to be an inapplicable utopian ideal, far from empirical reality. Yet, Christian marriage can only be seen, understood, and lived from the perspective of the new life in Christ. The sacrament of the Church embodies the ideal vision of Christian marriage and graces the couple with the potentialities to realize it. As the seed gives forth according to the ground into which it was planted, so the full effectiveness of sacramental nuptial life is made manifest to a greater or lesser degree by the faith commitment of the couple.

The rite of matrimony contains in precise and concise form the entire Orthodox teaching concerning marriage.⁹ The service of marriage currently in use by the Church consists of two separate, independent, and self-contained rites, that have been linked together for many centuries. These rites

⁸ See e.g., Paul Evdokimov, *The Sacrament of Love*, 118. G. Patronos, 'Ο Γάμος στή Θεολογία καί στή Ζωή, 39-49.

⁹ J. Chrysavgis, "The Sacrament of Marriage," 24. For a concise analysis of the Orthodox rite of matrimony see. T. Stylianopoulos, "Toward a Theology of Marriage," 250-267 and P. Evdokimov. *The Sacrament of Love*, 148-159. See also, Patrick Viscuso, "The Formation of Marriage in Late Byzantium," *St. Vladimir's Theological Quarterly* 35:4, 309-325. J. Meyendorff, *Marriage: An Orthodox Perspective*, 32-48, and "Christian Marriage in Byzantium: The Canonical and Liturgical Tradition," *Dumbarton Oaks Papers* 44 (1990) 99-107. Alvin N. Smirenky, "The Evolution of the Present Rite of Matrimony and Parallel Canonical Developments," *St. Vladimir's Theological Quarterly* 6:1 (1964) 38-47.

reflect the basic two-stage process of the nuptial union, engagement and marriage and "symbolically summarize the entire married life."¹⁰ The first part of the rite is called the Service of the Betrothal or Engagement. The second, the rite of marriage proper, is referred to as the service of Crowning, from the central characteristic ritual of the rite.

The Church's nuptial service, through its prayers and ritual actions, reveals the mystery of perfect love and communion in all its hidden dimensions and possibilities and calls the couple to accept this gift and to nurture it prayerfully with watchful attention.

II. LEARNING TO LOVE OR THE ENFLESHMENT OF THE VISION

A Christian marriage has similarities to other marriages in its external form and structure. It is experienced, however, in a radically different way. Relationships, authority, and personal identity are experienced on a wholly other plane in the context and spirit of the new life in the risen and reigning Christ. In loving and being loved, Christian spouses must be willing to enter daily into the life of Christ. It is here that they discover that "perfect love is love crucified," as Paul Evdokimov once noted.¹¹

Sacrificial love requires of persons the will to die daily to the dreadful condition of our fallen nature: to pride, envy, deceit, wrath, insensitivity, selfishness, and every kind of sinful desire and self-delusion which distorts and, ultimately, destroys the human person. In marriage, according to Olivier Clement, Christian couples are called "to thrust aside the masks which are incorporated into our face, the neurotic personages which are bound to our person, to tear away the dead skins, and in confidence and humility, in obedience to faith, to let the very life of the risen Christ emerge in us."¹²

¹⁰ P. Evdokimov, *The Sacrament of Love*, 70. For an account of the development of the rite see, Panagiotes Trembelas, *Μικρόν Εὐχολόγιον*, I (Athens, 1950) 28-75. A. Stavrinou, *Ἡ Ἱερολογία τοῦ Γάμου*, (Constantinople, 1923). Kenneth Stevenson, *Nuptial Blessing: A Study of Christian Marriage Rites* (New York, 1983) 9-26, 97-104. Mark Searle and Kenneth W. Stevenson, *Documents of the Marriage Liturgy* (Collegeville, MN, 1992).

¹¹ P. Evdokimov, *The Sacrament of Love*, 155.

¹² Olivier Clement, "Life in the Body," *The Ecumenical Review* 33:2 (1981) 138. See also M. Kardarakis, *Ἀγάπη καὶ Γάμος*, 91-96.

Perfect love is not obvious. We can only learn it from God. For he, "in his Trinitarian openness, constitutes the secret source of love."¹³ God himself is love (1 John 4:8,16) and his love disclosed to us precedes, founds, and renews our love.¹⁴ "When two human persons love and are united in marriage, they reflect God himself—and this love can never be exhausted psychologically, sociologically, medically, economically, or legally," notes Father John Chryssavgis.¹⁵

The sacrament of marriage seals the love of two persons with the abiding, loving and sanctifying presence of Christ. With Christ at its beginning and end, "the dimension of love in human life contains the various elements of *eros* (ascending, ecstatic love), *charitas* (compassionate love or sympathy), and *agape* (love as grace and self-sacrifice to the end)."¹⁶

By loving Christ, and through Him each other, the spouses come to know one another's distinct identity, complete one another in a dynamic way, and discover in each other God's image. Drawn to each other, and together to Him who is the source of all love, their *eros* is constantly transfigured to unfailing love—into *agape*. Persons who marry in the Lord come to appreciate God's commandment "to love your neighbor as yourself" (Mt 19:19) in the deepest possible levels of existence. A husband and wife become intimate lovers because they are, first of all, neighbor and friend to each other in the most unique and conclusive way.

The couple's gift of self to each other is to come to love in a divine way, and this way of loving is unconditional. Such love invests the couple's whole being with the redeeming presence of Christ, who is Himself love incarnate. This graceful presence integrates and enriches the personal and sexual love of a husband and wife and enables them to reach ever-new and ever deeper levels of communion, friendship, maturity, openness, and holiness.

A marriage in the Lord is sustained by the Holy Spirit, who grants to the spouses such gifts as are necessary for them to live a godly life in peace, truth, harmony, and love.¹⁷ This is not to say, however, that a Church mar-

¹³ O. Clement, 144.

¹⁴ Ibid., 144.

¹⁵ J. Chryssavgis, "The Sacrament of Marriage," 17. See also, G. Patronos, 'Ο Γάμος στη Θεολογία και στη Ζωή, 91-101.

¹⁶ J. Chryssavgis, 17.

¹⁷ See, e.g., the last prayer in the Betrothal service as well as the first prayer and the prayer after the Gospel in the service of Crowning.

riage is free from problems, temptations, tensions, pain, and suffering. Rather, it means that, in the obedience of faith, spouses are open to the influence of the power of the Holy Spirit. He allows the life of the risen Christ to rise up in them so that they may come to transcend ordinary life.

Learning to live together requires patience, godly courage, and humility. Couples have to learn to come to terms with their limitations and to negotiate and adjust the power structures in which they move and act. Love is more than warm feelings. It is an attitude and a disposition of illuminated self-giving. It is the way of enduring faithfulness and commitment to the mystery of perfect love, by which a husband and wife are led to renewed freedom, love, hope, and joy through their many estrangements and returns.¹⁸

The quality of a marriage is conditioned by many factors, including the spiritual maturity, emotional stability, and physical health of the spouses. Family relationships, cultural habits, and financial worries also effect the marriage. These and other distressful situations and uncertainties both in the home and at work can become disruptive and burdensome issues. When left unattended, such conditions can lead to serious problems and deficiencies in the marriage. That is why spouses are obliged to be humble and patient with each other and to work hard at resolving their issues through the exercise of mutual trust, forgiveness, tenderness, and kindness. This task, however, requires more than the good will of the spouses. Because human capacities and capabilities are easily depleted, spouses must learn to nurture their interior life through prayer, the sacraments of the Church, spiritual guidance and care, and works of genuine piety and charity. These things not only energize the person but lend themselves to the continuous renewal of the marital bond.

For these reasons, the Church has incorporated into the rite of matrimony requests and petitions for the practical, every day things that contribute to the growth, development, and well-being of the nuptial union and community. Thus, the Church prays that the couple's "goings out and comings in" (Deut 28:6; Ps 121:8)—their activities and enterprises as well as their home relationships and quiet occupations—may be free of temptations, evils, and dangers. She prays for the peaceful life, the prosperity, the compatibility, the longevity of the couple, the enjoyment of good children, and

¹⁸ See O. Clement, "Life in the Body," 145.

for a stable family life.¹⁹

III. IN MARRIAGE EVERY PERSON ACQUIRES A NEW IDENTITY

Personhood exists ultimately only in God, who freely shares this mode of existence with humankind. Christ, who is the model and archetype of true human life (1 John 3:2; Col 3:10), its Alpha and Omega, its purpose and destiny (Rev 21: 6), reveals to each man and woman the unfathomable depths of their personhood. This inner man/woman is not ours by nature: it is a gift, bestowed by God upon everyone who comes into the world (John 1:9). Therefore, the ultimate truth about a human being, both as nature and as person, is to be found in his/her vocation to become a conscious personal existence, i.e., to exist as God Himself exists— relationally.²⁰ While sin brings decay and the disintegration of the human person, participation in the life of Christ restores and renews the inward man/woman day by day.

Two baptized and communicating Christians who marry in the Lord become one flesh. Their souls and bodies commingle without confusion

¹⁹ Petitions and prayers for the spiritual, emotional, and physical well-being of the couple abound in the marriage rite. We read, for example, these petitions in the Betrothal Service: "That He will send down upon them perfect and peaceful love, and assistance... That He will preserve them in oneness of mind and in steadfast faith... That He will preserve them in a blameless life... (and) will grant them an honorable marriage and a bed undefiled... That He will deliver them and us from all affliction, wrath, danger, and distress, let us pray to the Lord."

We also read in the prayers of the Service of Crowning such requests as: "Lord, ...bless this marriage and grant to these Your servants a peaceful life, length of days, chastity, mutual love in the bond of peace... the grace to bear children, the unfading crown of glory... Fill their houses...with every good thing, that they may share with those in need."—"Bless their labors...that they, having sufficiency in all things, may abound in good works that are acceptable unto You." "Lord our God...keep these Your servants in peace and concord...Cause their marriage to be honorable...and their life spotless. Grant that they may live together in purity; and enable them to attain a ripe old age, walking in Your commandments with a pure heart."—"Bless their goings out and their comings in Fill their life with good things."—"May the...One Godhead and one Kingdom bless you: and grant you length of days, fair children, progress in life and faith: and fill you with all earthly good things, and make you worthy to enjoy the good things of the promise..."

²⁰ See, e.g., John D. Zizioulas, *Being as Communion* (Crestwood, NY, 1985) 15-65.

and change. Without ceasing to be male and female, they become one being, a single substance. They acquire a new identity in their personal relationship of coinherence. They fulfill and complete each other in a way that was previously unknown to them while each was under parental authority (Matt 19: 4-5).²¹ Consciousness of self at new and previously unexperienced levels is now discovered and understood by each primarily through the mediation of the other. Their physical, spiritual, and personal unity becomes a dynamic and transforming event. Their personhood, in all its potentialities, is being realized day by day in their nuptial consubstantiality and in their oneness with God.

Thus, Christian marriage is more than the social and religious sanction of a biological fact. "Through a reciprocal relinquishment of the individual will and acceptance of the other's will, the unity of man and wife comes to be built not on the natural premise of the individual sexual impulse but on the premise of Ecclesial communion, which is self-transcendence and self-offering," notes Christos Yannaras; and he adds, "Marriage draws its identity that not from the natural relationship, but from the relationship in the realm of the Kingdom."²²

Accordingly, Christian marriage can never be considered merely a private affair or an individual matter. It is an ecclesial event. It is the entrance of the couple into the gathered church, to share its life and values, forming all personal and familial life in the direction of the Kingdom of God. Thus, the marriage rite of the Orthodox Church places the couple within the acts of God in history. The spouses are called to enter into the mystery of salvation history and to become, as well, servants of redemption and the faithful

²¹ See, e.g., Savvas Agourides, "Αγιογραφικά Κείμενα περί Γάμου," 515. The Christological, ecclesiological, and eschatological dimensions, extensions, and perspectives of marriage are founded on the creation narratives in the Book of Genesis. Other important Scripture texts on marriage include the following: Song of Songs; Tobit; Is. 54:1-8; Jer 3:6-13; Ez 16,23; Mal 2:10-16; Hos 1,2; Prov 31; Mk 10:1-12; Lk 16:18; 1 Cor 7:1-7, 11:7-11; Eph 5:21-33; Col 3:18-21; 1 Tim 2:14-15.

²² Christos Yannaras, *The Freedom of Morality*, 162.

²³ The role of marriage at creation and throughout salvation history is mentioned in the prayers of the rite. In the Betrothal Service, e.g., we read: "Eternal God, You have brought into unity those who were sundered and ordained for them an indissoluble bond of love. You blessed Isaac and Rebecca and made them heirs of Your promise. Bless also these Your servants..." "Lord our God, who has espoused the Church as a pure virgin among the gentiles, bless this betrothal..."—"Lord our

witnesses to the work of God.²³ With this in mind, Alexandros Stavropoulos writes, '[the couple] enters into the whole history of married couples from the creation of the first pair. They are identified to some degree with the patriarchal couples, and they share in the Lord's first miracle at Cana. They stand alongside all the married couples of Church history and they are called to live out their own married history as a means of transfiguring their union into a new creation' worthy to enter the Kingdom.²⁴

The anamnestic character of the priestly prayers of the marriage rite with their recurring reference to Cana and to Old Testament couples and matrimonial events is of particular interest and significance.²⁵ The *anamnesis* or remembrance of the mighty acts of God in history as revealed in the Scrip-

God, who accompanied the servant of the patriarch Abraham into Mesopotamia, when sent to espouse a wife for his lord Isaac, and who, by means of drawing water, did reveal to him that he should betroth Rebecca...For in the beginning You did make them male and female and by You the woman is joined unto the man as a helper and partner and for the procreation of the human race. Therefore, Lord our God who has sent forth your truth upon your inheritance, and your covenant unto your servants, our fathers, your elect from generation to generation: Look upon your servants..and establish and make firm their betrothal..." The prayer continues with a reference to Joseph, Daniel, Tamar, and Moses.

In the service of Crowning we read e.g.: "O God most pure, maker of every creature, who did transform the rib of our forefather Adam into a woman because of your love toward humankind, and did bless them and say to them: Be fruitful and multiply, and fill the earth and subdue it; who did make of the two one flesh: Therefore a man leaves his father and mother and cleaves to his wife, and the two shall become one flesh, and what God has joined together, let no man put asunder...— The prayer continues noting the Old Testament patriarchal couples all of whose offspring played a role in salvation history as well as the parents of St. John the Baptist and the forefathers of Mary the Theotokos. The second prayer of the rite also makes mention of Old and New Testament couples who were the recipients of God's special blessings, including the patriarchal couples as well as Moses and Zipporah, Noah, Enoch, Shem, Elijah, Jonah, and the Three Children, Zechariah and Elizabeth, and Joachim and Anna. Also mentioned are St. Helen and the Forty holy Martyrs (of Sevastia). This prayer too makes reference to the creation narrative and to the many blessings and riches of marriage.

²⁴ Alexandros M. Stavropoulos, "The Understanding of Marriage in the Orthodox Church," 58.

²⁵ In the notes above we have noted the continued reference in the prayers to Old and New Testament personalities. The prayers and petitions of the rite also make repeated mention of the Lord's presence at the wedding feast in Cana of Galilee.

tures and as they are related to a specific act of the Church constitutes a key element in all the sacramental rites of the Church.²⁶ In the sacrament of matrimony, as Father Stylianopoulos notes, "God is asked to bless the marriage of every couple as he did that of Abraham and Sarah, Isaac and Rebecca, Jacob and Rachel, and many others down to Zachariah and Elizabeth who gave birth to the Forerunner. Every marriage of persons who are in communion with God, even in the Old Testament, is sacramental in the essential sense of being a locus and vehicle of the holy presence of the living God."²⁷

IV. MUTUAL CONSENT AND OTHER ELEMENTAL CONDITIONS FOR MARRIAGE

In accordance with the Orthodox Church's perspective, what is truly new in Christian marriage is the possibility that the unity of husband and wife can be expanded and transfigured into a new reality—into the Kingdom itself—through a *kenotic* (self-emptying) experience. Marriage in the Lord cannot, therefore, be reduced to some form of utilitarianism or legalism. It is more than a contract serving utilitarian needs and ends and more than a mutual attraction based on natural eroticism. Christian marriage is something unique, not because of any abstract law or moral ban, but that in its very essence it is a mystery, a sacrament of the Kingdom.

The strength of the nuptial bond, therefore, is not autonomous and self-explanatory. Its efficacy as an institution of Christian witness is possible only in the context of the faith community. Through the marriage rite the

We read for example, 'O God, our God, who did come to Cana of Galilee, and did bless there the marriage feast: Bless also these your servants...' Also, the Gospel pericope read at the marriage rite is the passage referring to the Wedding at Cana (Jn 2: 1-11).

²⁶ The *anamnesis* or remembrance is a constitutive part of every consecratory prayer. This is especially evident in the *Anaphora*, the great Eucharistic prayer of the Divine Liturgy. It can also be seen in the prayers of the other sacraments and of other services of blessing. For example, the first prayer in the rite of ordination of a bishop reads, in part, as follows: "Sovereign Lord, our God, who established by your illustrious apostle Paul the hierarchy of ranks and orders for the service of your venerable and pure mysteries at your holy altar- first apostles, second prophets, third teachers - O Lord of all, strengthen by your advent, power, and grace of your Holy Spirit him who has been elected to undertake the yoke of the gospel and the high-priestly dignity..."

²⁷ T. Stylianopoulos, "Toward a Theology of Marriage," 270.

bride and groom affirm their faith as well as their willingness to integrate themselves into the life of the Church. For this reason marriage in the Church is a fundamental condition; not because a Church wedding and sanctions relationships but because it preserves, celebrates, and communicates a particular vision and understanding of marriage. Through the rite of matrimony the bride and groom are gifted with and empowered by divine grace to begin their nuptial vocation and mission as servants of redemption.²⁸

Marriage requires a free response, even though the consent itself does not make the sacrament, and much less is able to dissolve it. Thus, the free will consent of the partners is a constitutive element of the sacrament of matrimony.

The decision to marry in the Lord is a highly personal one. It is to be arrived at prayerfully, in the counsel of one's heart. The freedom to choose one's own partner is restricted only by those canonical, legal, or moral impediments that would distort the purpose of the Christian marriage. While mutual consent is an essential element of the sacrament, the privilege is not absolute. The freedom to choose is conditioned both by civil law as well as by moral imperatives and canonical regulations. It is conceivable, therefore, that in the exercise of free choice one may compromise his or her relationship with the Church and even forfeit one's communion with her.²⁹

For the Church, the full significance of mutual consent is ultimately grounded in the couple's willingness to submit their decision and life to

²⁸ All Christians have been graced by their baptism and chrismation with the vocation to become servants of redemption. Perhaps, in no other expression of the Christian life is this calling realized more completely and more practically than in Christian parenthood and priesthood. For this reason Bishop Athenagoras Kokkinakis entitled his study on marriage and the priesthood, *Parents and Priests as Servants of Redemption - An Interpretation of the Doctrines of the Eastern Orthodox Church on the Sacraments of Matrimony and Priesthood* (New York, 1958).

²⁹ The quality of a marriage is conditioned by various determinants. Especially significant are the conditions that interreligious or intra-Christian marriages generate. These may affect seriously the orderly life of the nuptial community and/or the personal devotional and Ecclesial life of the spouses. Faith differences can create degrees of disharmony and disunity among the couple and may lead to confessional relativism or religious indifference.

Christ and to the spiritual care of His Church (Eph 5:21), and to accept freely to abide in the vision of marriage which draws its identity and strength from God and His Kingdom and not simply from their mutual promises and aspirations.

According to the present Greek practice, except for the very presence of the couple, there is no other formal public declaration of consent in the marriage rite. There is evidence, however, in our liturgical tradition of such public affirmations by the bride and groom. The Russian Church, for example, and some other Orthodox Churches continue to use a public declaration of consent at the start of the Service of Crowning.³⁰ Every local Church should introduce the use of such affirmations, in order to highlight the significance of the consent and the commitment of the couple to the purposes of Christian marriage. The declaration should contain three fundamental statements. First, that the couple enters the marriage of their own free will; second that there are no canonical, legal, or moral impediments to the marriage; and third, that the couple pledges to uphold the purposes and the sanctity of the nuptial bond.³¹

The Church has a special obligation to embrace the "ecumenical" family with love and concern. Orthodox spouses must be encouraged and their faith commitment strengthened. The non-Orthodox partners should be welcomed into the community of faith. As peripheral members of the Church, they should be treated with care, sensitivity, respect, and dignity as the spouses and parents of fellow members of the faith community.

Nurturing family unity must be a serious pastoral concern of the Church. Clergy, therefore, are obliged to offer counsel and help couples deal with and overcome conflicts.

³⁰For the use of declarations of consent in the manuscript tradition see, Panagiotes Trembelas, *Μικρόν Εὐχολόγιον*, 20, 22, 28-30, and 42. The declaration of the Slavonic text reads as follows: 'Do you, (name), have a good, free, and unconstrained will and firm intention to take as your wife this woman, (name), whom you see before you? - I have, reverend father. Have you promised yourself to any other bride? - I have not promised myself, reverend father.' The same questions are put to the bride as well.

³¹The following brief formula, e.g., may be considered as an appropriate public declaration of consent. "Do you, (name), freely accept to take as your wife this woman, (name), whom you see before you; do you declare also that there are no impediments to your marriage; and do you affirm your commitment to advance with her, by God's grace, in life and faith?—I do, reverend father."—The same formula with the appropriate changes would be addressed to the bride.

V. THE ESSENTIAL CHARACTERISTICS OF CHRISTIAN MARRIAGE

Marriage is established and constituted with the appropriate prayers and signs of the Church, since it is God Himself who is both its creator and celebrant. Through her canonically ordained bishops and/or presbyters, the Church, as the redeemed community, calls upon God to unite and sanctify the spouses and to help them prosper in life and faith.³² The conjugal union thus established is founded upon and formed by three essential characteristics: the indissolubility of the nuptial bond, the equality of the spouses, and their monogamous relationship.

These three characteristics point to the original and essential unity of the human being as ordained by God. This unity, however, has been fragmented and obscured by the Fall. Sinful desires and passions have thrown the original order and harmony of human relations into disarray. Christian marriage, by revealing the ultimate potentialities of love, unity, peace, fidelity, and spiritual and physical concord, challenges Christian spouses to realize in their fragile and delicate union the original oneness of creation.

Drawn to each other by love, the spouses bring to their marriage the gift of self with all its wonders and talents. They bring as well the inadequacies, limitations, and weaknesses of their fallen nature which they must learn to forgive and overcome time and again. Through an ever deepening process of interpersonal involvement and coinherence, which heightens the awareness of their distinctiveness as well as their mutuality and oneness, the spouses render themselves open to the transforming and sanctifying power of unconditional love. In and by this love they come to know and realize for themselves the three fundamental characteristics of Christian marriage.

A. The indissolubility of marriage

Marital bonds are indissoluble. Christian marriage is understood to be a lifelong event, a dynamic unfolding, and loving relationship that unites two unrepeatable personalities into a single body. It is established as a covenant relationship between two persons who willingly accept both the challenge and the opportunity to be "subject to one another out of reverence for Christ" (Eph 5:21).

³² See the selection of prayers and petitions of the marriage rite referred to above in notes 19 and 23.

The indissolubility of the marital bond is grounded essentially in the Christological and Trinitarian archetypes which constitute the bases for our understanding of the human being and of the conjugal union. According to the Christological archetype, we are called to achieve the unity of the one and indivisible human nature. According to the Trinitarian archetype, we are reminded of the personal and relational character of our human nature and of the vocation of male and female in union with each other and with God to achieve wholeness and perfection.³³ Indissolubility thus becomes a mark of unfailing love and commitment to the original purpose of creation.

Moreover, the indissolubility of the marital bond viewed in its Christological dimension reflects the unity of Christ and His Church, the model of the conjugal union. For this reason, Christian spouses conscientiously seek to transform their home into a domestic Church, i.e., into a community that bears the essential marks and characteristics of the Church: oneness, holiness, catholicity, and apostolicity.³⁴

Succinctly put, this means that the nuptial community in its pilgrimage celebrates the mystery of unity in diversity. It experiences the sanctifying presence of God in its very being and in all its activities. It is rooted firmly in the truths of the faith, experiences "the *pleroma* (fullness), the all, of the common life lived always, everywhere and by all married couples who have consecrated themselves to the living God³⁵ and accomplishes its life and task in a conciliar mode.³⁶ Finally, the nuptial community strives to realize its vocation to bear witness to the Gospel in all areas of human life and endeavors.

The permanence of the nuptial bond, however, does not come automatically. Marriages can and do fail. Human brokenness together with its many

³³ See Efthymios Stylios, *Ἀνθρῶπος: Ἄρσεν καὶ θύλη*, 54-70.

³⁴ A. Stavropoulos, "The Understanding of Marriage in the Orthodox Church," 59-60.

³⁵ A. Stavropoulos, 61.

³⁶ The mode by which the Church conducts her affairs is called conciliar or synodal. The synodal system or mode of operation, exercised on all levels of Church life, aids in overcoming the dangers and limitations of autocracy, ochlocracy, individualism, and uniformness. The synodal mode constitutes a unity in which the parts both condition as well as complement each other in a continuous process of sharing. It permits gifts to surface and bloom; and allows authority to be exercised creatively within the bounds of mutual respect, love, and accountability. This system is applicable as well to the nuptial community.

dilemmas and with its "distorted habits, feelings and attitudes about possessions, status, work, security, guilt, sex, love, family, and friends,"³⁷ is an always present threat to conjugal and familial unity. The upbuilding of marriage as a community of love entails hard work and above all faithfulness to God, who graces the couple with the will and the spiritual fortitude and strength to sustain the dynamism in all familial relationships and to advance understanding, holiness, and unity among the members of the nuptial community.

On the authority of Christ the Church upholds with all seriousness the absolute permanence of the marital bond. Yet at the same time, she has cautiously introduced qualifications and admitted exceptions to the indissolubility of marriage.³⁸ The qualifications are mentioned in the Scriptures and revolve generally around the fact of physical and spiritual death.³⁹ In subsequent centuries the Church came to admit other exceptions which according to John Erickson, assimilate death and adultery. He writes, "The Byzantine ideal of symphony between imperium and sacerdotium assumed the concordance of civil law and church law...In divorce matters the valid reasons enumerated by the civil law were reduced to two types: those which could be assimilated to death (disappearance with presumption of death, permanent insanity, monastic habit, episcopal consecration... and those which could be assimilated to adultery, which thus could be interpreted in the light of the Matthean exceptive clause (endangering the life of the spouse, secret abortion, forcing the spouse to prostitution...), i.e., serious

³⁷ Roberta C. Bondi, *To Pray and to Love - Conversations on Prayer with the Early Church* (Minneapolis, MN, 1991) 38.

³⁸ For a discussion on the qualifications and exemptions to the indissolubility of marriage see, John H. Erickson, *The Challenge of Our Past* (Crestwood, NY, 1991) 39-51. Theodore Stylianopoulos, "The Indissolubility of Marriage in the New Testament: Principle and Practice," *Greek Orthodox Theological Review*, 34:4 (1989) 335-345. Bishop Peter L'Huillier, "The Indissolubility of Marriage in Orthodox Law and Practice," *St. Vladimir's Theological Quarterly* 32:3 (1988) 199-221. George W. MacRae, *Studies in the New Testament and Gnosticism* (Wilmington, DE, 1987) 115-129. G. Patronos, "Ο Γάμος στη Θεολογία και στη Ζωή," 119-131.

³⁹ See e.g., Theodore Stylianopoulos, "The Indissolubility of Marriage," 340-343.

⁴⁰ John H. Erickson, *The Challenge of Our Past*, 46. The Church has reserved the right to recognize that a marriage has dissolved for other reasons also, such as apostasy, serious illness and abandonment, and serious spiritual failures which cause profound incompatibilities and the complete withering of love.

assault on the moral and spiritual foundations of marriage.”⁴⁰

The liturgical tradition of the Church also reflects the ideal of the permanence of the marital bond. Though the Church joins in matrimony both widowed and divorced persons, she does so reluctantly through a separate rite of Second Marriage which is characterized by a distinct penitential tone.⁴¹

The choice between right and wrong marriages must be seen in the context of a lifelong union and pilgrimage towards the Kingdom of God. Psychological and other factors may affect the ability of the spouses to relate to each other as husband and wife. When such conditions are left unattended or cannot be overcome, the nuptial bond is exposed to painful and distressful conditions that lead to separation and divorce. Divorce produces as much anguish as death because it is the withering away, of a living relationship into emotional and spiritual deadness, often times after very cruel and humiliating experiences.

The Church admits divorce and remarriage as a concession to human frailty and imperfection. These concessions reflect the Church's pastoral concern for wounded souls as well as her refusal to abandon divorced persons in their sin, failure, weakness, guilt, and/or pain. The ultimate aim of the Church in tolerating divorce is the restoration of the dignity and holiness both of the institution of marriage and of the human person who bears the pain of dissolution of the marital bonds.

In an insightful passage, Fr. Theodore Stylianopoulos describes well the tension between the vigorous ethical demands of the Gospel and the tensions and ambiguities of the present age as they apply to the radicality of Christ's teaching on the indissolubility of marriage. He writes: “The mystery of the eschatological kingdom revealed in Christ both as a present

On the matter of Ecclesial divorce, Father John Meyendorff once proposed a radical new (old) approach. He wrote, “practically, and in conformity with Scripture and Church tradition, I would suggest that our Church authorities stop ‘giving divorces’ (since the latter are secured anyway through civil courts) and rather, on the basis of a recognition, based upon the civil divorce, that marriage does not in fact exist, issue ‘permissions to remarry.’ Of course, in each particular case pastoral counseling and investigation should make sure that reconciliation is impossible; and the ‘permission to remarry’ should entail at least some form of penance (in conformity with each individual case) and give the right to a Church blessing according to the rite of second marriage.” *Marriage: An Orthodox Perspective*, 65.

⁴¹The Church with serious reservations allows a second marriage and merely tolerates a third. She forbids a fourth.

and future reality involves and unavoidable tension between the newness of the kingdom and the conditions of the old age which continues until the fullness of the kingdom arrives. Those who in faith receive the blessings of the kingdom are also called to live by its radical demands. Yet again not even the most devoted follower of Christ can claim to have fulfilled the total ethic of the Sermon on the Mount. The higher principle of the kingdom can therefore be neither law, which condemns even sincere believers unable to live by its demands, nor cheap grace which trivializes Christ's teaching. The right alternative...can only be the Gospel, the genuine and specifically Christian challenge that can only be met by the fusion of free will and grace, what the Orthodox East has called *synergia*. The specific challenge is to accept the full force of Christ's radical teachings and to seek to interpret and apply them with discernment and compassion in the given circumstances and conditions which confront us, while patiently enduring the ambiguities and tensions which inevitably rise."⁴²

B. The equality of the spouses

The nuptial community is understood to be patterned after the divine life of the Holy Trinity. According to traditional Orthodox belief the Godhead is a Trinity of consubstantial, coequal, and coeternal persons in perfect unity. The same Orthodox faith confesses that humanity, by virtue of its creation according to the image of divinity, is a community of coequal and coessential persons united together in exactly the same nature.⁴³ Hence, with this model in mind, we recognize and uphold the absolute equality of the spouses in the matrimonial union.

Though the divine Persons of the Trinity are consubstantial, their modes of being and action are different. Though they coinhere in each other, they are neither the same nor are they interchangeable in their eternal common divinity. In a similar manner, according to Father Thomas Hopko, "the mode of being and action of the female within the same nature of created being...the male and female are not the same and are not interchangeable in the unique forms of their common humanity."⁴⁴ As coessential and coequal, man and woman share in common all the attributes and virtues of their common humanity. Only the manner by which these are realized is different.⁴⁵

⁴² T. Stylianopoulos, "The Indissolubility of Marriage," 338.

⁴³ Thomas Hopko, ed., *Women and the Priesthood* (Crestwood, 1983) 98-99.

⁴⁴ *Ibid.*, 107.

⁴⁵ *Ibid.*

Thus in dealing with the sexual differentiation of the spouses in marriage, we cannot speak in terms of the superiority of the one and the inferiority of the other. On the contrary, the Scriptures, as noted above, are clear in stating that both man and woman have been created according to the image of God. They share one and the same essence—as well as the one and the same destiny—to acquire the likeness of God. The singular *ἄνθρωπος* (*human being*) contains the plurality of male-female.

Nevertheless, though equal, the spouses relate to each other according to an order established by God; with the man as the head and the woman as the helpmate and partner (*βοηθὸν κατ' αὐτόν*) who corresponds to him. She is of the same nature as he and completes his being (Gen 2:18). The husband and wife complement each other, and in their complementarity they are able to recognize and experience both their distinctiveness and their inherent equality.

This basic relational order between the spouses is enriched further by the model based on the relationship of Christ and his Church (Eph 5: 21-33; Col 3:18-19). Indeed, according to Father Hopko, “if men and women wish to realize the ideal of their perfect manner of being within the human community, they must seek to perfect in their mutual relations the relationship between Christ and the Church.”⁴⁶

According to this model, the husband is called to love his wife unselfishly and unconditionally, to stamp her image upon his heart, to take joy in her dignity and gifts, to comfort her and to long for her well-being, and to protect, honor, and nourish their bond through his unfailing fidelity. Recognizing that authority is for the sake of loving service, the wife in turn is called to respect the headship of her husband in their mutual submission to Christ. Her vocation is to honor the nuptial relationship with her unfailing love and faithfulness as well as by her unselfish devotion and wise counsel, modesty and gratefulness, courage and strength, and abiding faith and piety. As wife and mother, she mirrors life and fills it with self-giving love through her gift of “the hidden person of the heart” (1 Peter 3:4).

C. A Christian marriage is monogamous

From all that has been said thus far, it is clear that a Christian marriage presupposes a monogamous relationship. Monogamy, which is consistent

⁴⁶ Ibid., 109.

with the Christian ideal of agape, is implied in the creation narratives in the Book of Genesis. Moreover, it is upheld by the Prophets, confirmed by Christ, and sustained by the Church.

A monogamous relationship based on the love of God allows the spouses to develop trust and deepen affections. The monogamous relationship sustains the unity of the nuptial community and guards its members from the destructive influences of envy, conceit, lust, arrogance, deception, and manipulation. Also monogamy preserves the personal dignity and equality of the spouses and ensures the stability and purity of their marital relations. Furthermore, monogamy fosters and promotes the purposes of Christian marriage.

VI. THE FOUNDATIONAL QUALITIES AND PURPOSES OF CHRISTIAN MARRIAGE

The ultimate purpose of Christian marriage is to create those conditions and presuppositions which will allow the spouses to grow in holiness and to develop together in the likeness of God. In this process of becoming, the spouses are called to reveal to one another the face of Christ in accordance with the measure of their faith and the purity of their heart. To begin to fulfill this ultimate nuptial vocation, the spouses must first learn to recognize and accept as their own the foundational qualities and purposes of Christian marriage.

The fundamental teachings on marriage are contained in the creation narratives of the Book of Genesis. These key principles have been further advanced and enriched by the teachings of the Prophets and the Apostles. Basically, the Scriptures and Holy Tradition affirm three qualities and purposes of marriage, namely: (a) the primacy of the marital union among all other human relationships, (b) the sacredness of marital love; and c) the joy and privilege of child-bearing.

A. The primacy of the marital relationship

Someone once noted that the creation narratives in the Book of Genesis leave us with one lovely and essential image: "a solitary couple, pulling away from parental bonds so that they can stand together as a new community before the Lord." This portrait highlights the most significant feature and the primary aim of Christian marriage. It is the union of two persons, male and female, into a communion of unconditional love for their mutual companionship and for their personal fulfillment, completion, and perfection in Christ.

The task of growing together in Christ is grounded on the mutual trust and love of the couple and in their ability to develop together both spiritually and emotionally. These things, in turn, are nurtured by honesty and commitment, by fidelity and tenderness, and especially by the constant movement of the spouses to deeper and higher levels of consciousness and loving activity through mutual coinherence and prayer. Oneness in mind and heart is fostered by common vision and purpose, and especially by a common faith and a value system that grows out of that faith. The nuptial community, both in its inner and outer relationships and behavior patterns, is conditioned by these and other determinants. They provide its focus and its incentives for life.

The mutual companionship and personal fulfillment of the spouses rests upon their developing view of the world and of their place in it. A couple's world view has the capacity to become limiting, rigid, or stifling, or it may become open and dynamic. Which direction it goes is highly dependent on the measure of the couple's faith and of their commitment to the vision of Christian marriage as proclaimed by the Church. Ultimately, the development of the spouse's world view depends on their willingness to respond to God's grace and, by responding positively, to acquire the mind of Christ, his wisdom, and his love.

A grace-filled life is vital to the well-being of the nuptial community. This point has been emphasized by M. Scott Peck, a Christian psychiatrist, who writes,

people's capacity to love, and hence their will to grow, is nurtured not only by the love of their parents during childhood but also throughout their lives by grace, or God's love. This is a powerful force eternal to their consciousness which operates through the agency of their own unconscious as well as through the agency of loving persons other than their parents and through additional ways which we do not understand. It is because of grace that it is possible for people to transcend the traumas of loveless parenting and become themselves loving individuals who have risen far above their parents on the scale of human evolution... I believe that grace is available to everyone, that we are cloaked in the love of God, no one less nobly than the other... To be aware of grace, to personally experience its constant presence, to know one's nearness to God, is to know and continually experience an inner tranquillity and peace that few possess. On the other hand, this knowledge and awareness brings with it enormous

responsibility. For to experience one's closeness to God is also to experience the obligation...to be the agent of his power and love. The call to grace is a call to a life of effortful caring, to a life of service and whatever sacrifice seems required.⁴⁷

B. The sacredness and loveliness of marital love

The task of living and growing together in love and holiness is aided by sexual fulfillment since sexuality implicates the person whose substance is imprinted on his or her body. Thus, accord to Olivier Clement, human sexuality and intercourse must be understood as a dimension of the person, a language of the relation between persons. This unity of the flesh denotes not only the union of bodies but the interwovenness of two lives.⁴⁸

Human sexuality is a gift from God and is therefore good. It exists to further the growth of mutual companionship in marriage by drawing the husband and wife into a loving, caring, and intimate communion of body and soul. Through their bodily union, the husband and wife experience, express, and develop their sexual distinctiveness. The sexual life of a couple is more than physical activity. Because a human being is an enfleshed spirit, the experience of sexual intercourse involves the whole person. The human body not only hides but discloses the inner world of each of the spouses. In their embrace, they communicate to each other their innermost feelings, affections, and hopes—their very person.

For this reason sexuality cannot be reduced simply to function, desire, or procreation. It is not a mere biological function, like hunger and sleep. Nor is it concupiscence, a defective desire which is legitimized only by procreation. It is in itself lovely, holy, and good. "It is bound by God to the deepest and most creative aspects of human nature," as John Chryssavgis notes.⁴⁹ We should not forget that in the language of Scripture, sexual intimacy is referred to as an act of knowing. To know means to reveal, to share, and to hold.

Often times people are plagued by wrong ideas about human sexuality. These ideas are rooted usually in various dualistic notions about the human being, both as person and as nature, and can range from the fear and

⁴⁷ M. Scott Peck, *The Road Less Traveled - a New Psychology of Love. Traditional Values and Spiritual Growth* (New York, 1978) 300, 302.

⁴⁸ Olivier Clement, "Life in the Body," 141.

⁴⁹ John Chryssavgis, "Love and Sex in the Image of Divine Love," 102.

disdain of sex to uncontrolled promiscuity and overt immorality.⁵⁰ Like all unhallowed things of the fallen world, human sexuality can remain graceless or can be trivialized into "a mere diversion in life, determined by sensual appetite." It can even deteriorate into narcissistic, abusive, and predatory behavior. Worse still, it can sink into depravity and perversion and become a reprehensible addiction. In the end, graceless, trivial, or abusive sex devalues the human body and dehumanizes the personality. It is cruel and destructive.

Marital fidelity together with marital modesty, decency, asceticism, and prudence brings human sexuality into the realm of redemption. Sexual intimacy based on fidelity and creative love develops into a means of self-transcendence and a window through which God's love and life shines into marital love and life. The human body becomes for the spouses a body of communion. Their physical relationship is transformed into a union of persons, opening them to opportunities for personal growth and transparency. "Through the natural relationship of marriage," writes Christos Yannaras, "the two are united into one flesh, and through the eucharistic relationship of the mystery of marriage, this one flesh, the shared life of two persons, is made incorruptible and immortal."⁵¹

C. The joy and privilege of child-bearing

Sexual intimacy, while related in the first instance to the upbuilding of companionship and coinherence, also allows the spouses to become co-creators with God.

Creation of new life from fleshly love is a special privilege, joy, and blessing. Children are the very crown of the marital union as well as the mysterious presence of God's creative love in the lives of two people. Children are the very sign and expression of the oneness of the spouses. A childless marriage due to biological infertility, however is no less complete than a marriage with children, since the essential purpose of marriage is the unity of the spouses and not the reproduction of the species.

St. John Chrysostom addresses these points and explains them in remarkably vivid and beautiful imagery. He writes, "How do they become one flesh? As if she were gold receiving the purest of gold, the woman

⁵⁰ See Peter Brown, *The Body and Society - Men, Women, and Sexual Renunciation in Early Christianity* (New York, 1988).

⁵¹ Christos Yannaras, *The Freedom of Morality*, 163. See also G. Patronos, 'Ο Γάμος στή Θεολογία καί στή Ζωή, 71-90.

receives the man's seed with rich pleasure, and within her it is nourished, cherished and refined. It is mingled with her own substance and she returns it as child! The child is a bridge connecting the mother to the father, so that three become one flesh, as when two cities divided by a river are joined by a bridge. And here that bridge is formed by the substance of each... But suppose there is no child; do they remain two or one? No: their intercourse effects the joining of their bodies, and they are made one, just as when perfume is mixed with ointment."⁵²

Spouses not only share in the creative power of God, they must also imitate his self-giving love as well as his providential concern for creation through the continuous nurturing, of their children. Giving birth to children is a profound privilege carrying with it immense responsibility. Children are worthy both of great love as well as careful upbringing. (Eph 6:4).

Parenting is a complex role involving several dimensions beyond merely meeting the physical needs of the child. Parents must also provide their children with a caring home, a decent life, and a good education. However, the role of Christian parents entails much more. They are obliged to lead their children by example and by their own rich interior life. Furthermore, they are called to bring up their children in the training and admonition of the Lord (Eph 6:4), to nurture them in the faith, to give them spiritual guidance, to protect them against sin and to create for them a loving environment in which they may develop into mature and wholesome human beings and caring and faithful disciples of Christ. John Boojamra reminds us that a Christian family is the center from which all values arise: the matrix of trust, personhood, and intimacy: the educator of first resort, where the ability to faith is born and nurtured in a community of love and the place where the child grows trustingly into the world outside and learns to appreciate it as wonder-filled object of service.⁵³

Bringing children into the world requires serious, prayerful, honest, and sincere reflection. The decision, therefore, to regulate the size of one's family is the personal responsibility of the spouses. This decision, how-

⁵² St. John Chrysostom, *On Marriage and Family Life*, trans. C. Roth and D. Anderson, (Crestwood, NY, 1986) 76. (This passage is from his Homily 12 on Colossians 4:18).

⁵³ John L. Boojamra, "Theological and Pedagogical Perspectives on the Family as Educator," 16-32.

ever, cannot be based on hedonistic, selfish and prideful reasons. A serious commitment to the Gospel precludes this. Also, abortion as a means of birth control is immoral.

While married love includes procreation, the latter does not define it. Sexual intimacy, as noted above, serves to enhance mutuality and intimacy between the spouses and is not simply function for procreation. Thus, the suspension of fertility through appropriate means of contraception is not wrong or immoral. The responsible use of birth control for the purpose of spacing children or limiting their number can only be addressed by the couple. Regarding this matter Metropolitan Chrysostomos Zapheres notes, "while the Orthodox church fully acknowledges the role of procreation in the marital sexual act, she does not share the deterministic understanding of the act... which ignores love as a dimension of great value in sexual intercourse between husband and wife."⁵⁴

VII. A CONCLUDING REMARK: THE NEED TO HELP PEOPLE DISCOVER THE VISION OF CHRISTIAN MARRIAGE.

Among the many pastoral concerns of the Church today perhaps none is more vital than that of marriage and the family. There is good reason for Christians to be concerned about the status of these two God-given institutions in our society. Clearly, they are undergoing extraordinary stress, as demonstrated by the increase in divorce rates and of dysfunctional families. This breakdown of family life strikes at the very heart of our ecclesial life.

The issues at stake are not so much sociological and political as they are theological and ecclesiological. Vigen Guroian framed the problem cor-

⁵⁴ Chrysostomos Zapheres, "An Orthodox Opinion: The Morality of Contraception," *Orthodox Observer* (Sept. 1974) 5. It is fair to mention here that some Orthodox theologians consider the use of contraceptives as immoral and some local Church authorities have issued statements condemning birth control. However, neither the New Testament nor the Greek Fathers claim that childbirth justifies marriage. Also, there are no Church canons that address this issue. We must remember that the union of a man and woman in marriage is a holy end in itself. For more on the subject of contraception and birth control see e.g., S. Harakas, *The Living Faith*, 130-138. P. Evdokimov, *The Sacrament of Love*, 174-180. J. Meyendorff, *Marriage: An Orthodox Perspective*, 65-73. D. Constantelos, *Marriage Sexuality and Celibacy*, 62-69. M. Farantos, *Δογματικά και Ήθικά*, 337-344, G. Patronos, *Ὁ Γάμος στή Θεολογία καί στή Ζωή*, 103-118.

rectly when he wrote "the real Orthodox critique of marriage and family does not come from these institutions failure within the culture as described by the social scientists. Rather, the critique rests in their failure to be what they are called to be by the Church. The warrant for arguing in this way is that Orthodox theology regards marriage as fundamentally an ecclesiological reality."⁵⁵ Consequently, we must agree also with Guroian, that the real concern of the Church in this situation is not the recovery of stable family life simply for the sake of society as noble as this goal may be, but rather for the grounding of family life in the realities of God's Kingdom from which it draws its identity.⁵⁶ It is the radical transforming power that flows from the Kingdom that enables the nuptial community to sustain the norms, values, and virtues of the Christian life and to enrich and advance all marital and family relationships.

It is not enough to speak about marriage and its many rich blessings. It is as important for the Church through a vibrant pastoral ministry and "a living catechesis" to use the term of Guroian, to help people continually discover and en flesh for themselves and their families both the values of the Gospel and the vision of marriage as it is understood, celebrated, and proclaimed by the Church. Marriage is life's great spiritual event. It is the task of the Church to help people build strong solid marriages, and when necessary to reach out and help strengthen and support those who are weak.⁵⁷

The well-being of the home-church has always been a matter of deep concern for the Church. This concern is embodied even in the Great Eucharistic Prayer, the *Anaphora*. We read, for example, the following eloquent words of prayer in the *Anaphora* of the Divine Liturgy of St. Basil, "remember, Lord, the people here present and them that are absent with good cause. Have mercy on them and on us according to the multitude of your mercy, fill their store-houses with every good thing; maintain their marriage-bonds in peace and concord; nurture the infants; instruct the young; strengthen the aged, encourage the faint-hearted, gather together again them that are scattered; bring back them which went astray and unite them to Your holy, catholic, and apostolic Church; defend the widows; protect the orphans... You know the name and age of each, even from their mother's

⁵⁵ V. Guroian, *Incarnate Love: Essays in Orthodox Ethics* (Notre Dame, 1987) 81.

⁵⁶ *Ibid.*, 81.

⁵⁷ T. Stylianopoulos, "Toward a Theology of Marriage," 81.

womb. For You, Lord, are the helper of the helpless, the hope of the hopeless, the savior of them that are storm-tossed, the haven of those in peril, the physician of them that are sick... Be You Yourself all things to all, who knows each person, his request, his household, and his need."⁵⁸

The Church, as noted by Father Theodore Stylianopoulos, has a tremendous spiritual investment in marriage. For, 'Christian persons make Christian couples. Christian couples make Christian marriages. Christian marriages make Christian homes. Christian homes make Christian families. Christian families make up the Church.'⁵⁹

The nuptial bond is a divine gift. Marital bonds must be strengthened, renewed, and nourished continuously. It is the task of the Church to promulgate the vision of marriage and to help Christian persons live by it.

⁵⁸ *The Divine Liturgy of our Father Among the Saints Basil the Great* (Brookline, MA, 1988)

⁵⁹ T. Stylianopoulos, "Toward a Theology of Marriage," 281.

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Marriage between Orthodox and Non-Orthodox: A Canonical Study

PATRICK VISCUSO

The first part of this study will examine late Byzantine canonical views of attempted marriage between Orthodox and non-Orthodox. The late Byzantine period was chosen as a starting point because with the division between East and West the intermarriage of spouses from both ecclesiastical bodies became an issue for Byzantine canonists. Their answers may prove of interest since the question of mixed marriage continues to face our church today. The canonical writings produced during this period endure as legal references and presently occupy an influential position in Orthodox canon law. Emphasis will be placed on the legislation of the Council in Trullo, but will also include an analysis of other church laws dealing with mixed marriages.

In the ecclesiastical law of the late Empire, distinctions were made between marriage legislation affecting clergy and laity. In general, stricter regulations were applied to the clergy, who for example, were forbidden divorce and remarriage allowed to the laity.¹ However, there was no difference in the strictness of canonical legislation regarding marriage with non-Orthodox. The lack of difference leads to a number of conclusions.

The second part of this study will analyze the current canonical practice of the Greek Orthodox Archdiocese of North and South America concerning mixed marriage, especially between Orthodox and Roman Catholics. The reception of the marriage sacrament by Roman Catholics will be examined in light of baptism outside the Orthodox Church. Orthodox

¹ There were also two different standards for behavior found in late Byzantine marriage legislation. The stricter was applied to the clergy as a consequence of serving as mediators with the Divine, a role that was seen as demanding ritual sanctity. This has been treated in my study, "Purity and Sexual Defilement in Late Byzantine Theology," *Orientalia Christiana Periodica*, 57 (1991) pp. 399 - 408.

canonical opinion on the validity of such baptism will be briefly surveyed from the late Byzantine period to the present.

LATE BYZANTINE CANON LAW

In canonical writings of the late Byzantine period, clergy and laity were assigned different canons pertaining to marriage with heretics, Jews, and pagans. This division can be seen in the structure of certain canonical works such as the fourteenth century *Alphabetical Collection* of Matthew Blastares (fl. 1335) and the twelfth century commentaries of John Zonaras. Zonaras stated:

The synod in Laodicea prescribed this in its tenth and thirty-first canons, the synod in Carthage decreed this in its twenty-first, and the ecumenical synod that met in the Trullo of the palace enacted this in greater detail. While the synod in Carthage like the present canon [Chalcedon fourteen] concerned only clergy, the synods in Laodicea and Trullo, absolutely forbid any Orthodox to contract marriage with heretics, and although it might have taken place, order such a marriage to be sundered.²

Among the main church laws cited by late Byzantine canonical sources as forbidding Orthodox laity to marry heretics was the seventy-second canon of the Council in Trullo:

An Orthodox man is not permitted to be joined with a heretical woman, nor indeed is an Orthodox woman to be united with a heretical man. But if any such thing appears to have been done by anyone, the marriage is considered null, and the illicit cohabitation is dissolved. For the unmixable should not be mixed, nor a wolf joined with a sheep, nor the lot of sinners with the portion of Christ. However, if anyone would transgress the things decreed, let him be excommunicated. If some who while still in unbelief and not yet

²G.A. Rhalles and M. Potles, *Σύνταγμα τῶν θείων καὶ ἱερῶν κανόνων*, 6 vols. (Athens, 1852-1859) 2, p. 252. For information on Zonaras, see H.G. Beck, *Kirche und Theologische Literatur im Byzantinischen Reich* (1959) pp. 656-57. The canonist Matthew Blastares (fl. 1335) was the author of a nomocanon entitled, *Σύνταγμα κατὰ στοιχεῖον τῶν ἐμπεριελημμένων ἀπασῶν ὑποθέσεων τοῖς ἱεροῖς καὶ θείοις κανόσι πονηθέν τε ἅμα καὶ συντεθέν τῷ ἐν ἱερομονάχοις ἐλαχίστῳ Ματθαίῳ* (An alphabetical collection of all subjects that are contained in the sacred and divine canons, prepared and at the same time organized by Matthew the least amongst hieromonks). This handbook of theology and canon law was a standard reference for Greek Orthodox clergy up to the end of the eighteenth century. It will be referred to as the *Alphabetical Collection* throughout this study. For information on Blastares and his canonical work, see my article, "A Late Byzantine Theology of Canon Law," *The Greek Orthodox Theological Review*, 34 (1989) pp. 203-19.

enclosed within the Orthodox flock, were bound to one another in legal marriage, and then if the one spouse who chose the good came to the light of faith while the other who did not choose to look earnestly toward the divine splendor was restrained by the bond of error (and if the unbelieving woman is willing to live with the believing man; or the reverse, the unbelieving man with the believing woman), let them not be separated, according to the Divine Apostle. For the unbelieving husband is sanctified by the wife, and the unbelieving wife is sanctified by the husband.³

The Byzantine church commentators of this canon made extensive use of civil law and its interpretations.

The main definition of marriage by the civil law was based on a Latin formulation of the third century Roman jurist Herennius Modestinus, which appears in both Justinian's *Code* and *Digest*:

Nuptiae sunt coniunctio maris et feminæ et consortium omnis vitæ, divini et humani juris communicatio.⁴

A Greek translation of this formula appeared in the *Basilika*:

Γάμος ἐστὶν ἀνδρὸς καὶ γυναικὸς συνάφεια καὶ συγκαθήρωσις τοῦ βίου παντός, θείου τε καὶ ἀνθρωπίνου δικαίου κοινωνία.⁵

The prohibition of so-called mixed marriages was often linked in Byzantine legal commentaries to the third part of the civil definition of marriage; "a sharing (κοινωνία) of both divine and human law." An anonymous eleventh century commentator of the *Basilika* stated:

Marriage is a conjunction (συζυγία) of man and woman, and a consortium (συγκαθήρωσις) or union (συνάφεια) for all life, a sharing (κοινωνία) of both divine and human law. For the man and the woman ought not only to be under the same laws (νόμους), but there is need for them to be of the same religion and way of thought, in order to equally honor the Divine.

³ Rhalles and Potles, 2, pp. 471-72.

⁴ Theodor Mommsen and Paul Krueger, Eds., and Alan Watson, Trans., *The Digest of Justinian*, 4 vols. (Philadelphia, 1985) 2, p. 657. The formula appeared in *Code* 9. 32. 4 and *Digest* 23. 2. 1. Compare also the definition contained in the *Institutes* 1. 9. 1, J.A.C. Thomas, ed. and trans., *The Institutes of Justinian* (Johannesburg, 1975) p. 26: "Nuptiæ autem sive matrimonium est viri et mulieris coniunctio, individuum consuetudinem vitæ continens."

⁵ *Basilika* 28. 4. 1, H.J. Scheltma and N. van der Wal, eds., *Basilicorum Libri LX*, 6 vols. (Groningen, 1962) A4, 1325. The *Basilika* was a legal code based in large part on the *Corpus Iuris Civilis* enacted under Justinian I (527-565), and was completed during the reigns of the emperors Basil I (867-886) and Leo VI (886-912) with commentaries compiled during the eleventh and twelfth centuries.

Therefore note that marriage is not contracted with a heterodox of any kind.⁶

Byzantine civil legislation contained strict prohibitions on Christians marrying Jews. In both Justinian's *Code* and the *Basilika*, offenders were treated in the same way as adulterers.⁷

However, according to the *Photian Nomokanon*, although the civil definition of marriage required the sharing of a common religion, this was not always the case in practice and provisions were made for exceptions:

The civil law...states...that marriage is a union (συνάφεια) of man and woman, and a consortium (συγκλήρωσις) for all life, a communion (κοινωνία) of both divine and human law; and by this definition (ὄρον) those joined in marriage were supposed to be of the same religion. Nevertheless, it knew and accepts marriage between an Orthodox and heretic. For book one, title five, law twelve of the *Code* states that when parents make rival claims, the one that wishes to introduce the children into the Orthodox faith prevails. And law eighteen of the same title states that if one of the spouses should be Orthodox, and the other a heretic, their children must be Orthodox.⁸

The legal references made by the *Nomokanon* were to Justinian's *Code*.

The civil definition of marriage that required the spouses to share "divine and human law" was utilized by Byzantine canonists in their interpretations of the seventy-second canon.⁹ The twelfth century canonist Theodore Balsamon stated in his commentary:

⁶ *Scholia ad Basilicorum* 28. 4. 1., H. Scheltema and D. Holwerda, *Basilicorum Libri LX*, Series B, 6 vols. (Groningen, 1961) 5, 1815.

⁷ *Code* 1. 9. 6; *Basilika* 1. 1. 34, Scheltema, A1, 7.

⁸ Rhalles and Potles, 1, p. 271. The authorship of the *Photian Nomokanon* is ascribed to Patriarch Photios (c. 810-c. 895) of Constantinople. The collection is actually the work of many redactors, one of the last being Theodore Bestes (c. 1095). Balsamon is the most famous commentator of the *Photian Nomokanon*.

⁹ The Byzantine Church's acceptance of this definition was well established. It is found in the *Photian Nomokanon*, 12, 13, Rhalles and Potles, 1, p. 271: "The civil law, granting that it defines marriage the most comprehensively, states in book twenty-three, chapter two, title one, that marriage is a union of man and woman, and a consortium for an entire lifetime, a sharing of both divine and human law..." An abbreviated version is also found in the *Epanagoge* 16. 1, J. and P. Zepos, eds., *Jus Graecoromanum*, 6 vols. (Darmstadt, 1962), 2, 274: "Γάμος ἐστὶν ἀνδρὸς καὶ γυναικὸς συνάφεια καὶ συγκλήρωσις πάσης τῆς ζωῆς εἴτε δι' εὐλογίας εἴτε διὰ στεφανώματος ἢ διὰ συμβολαίου." The formulation also appears throughout the canonical commentaries cited above and under the heading, "Definition of Marriage," in the *Alphabetical Collection* of Matthew Blastares, Rhalles and Potles, 6, pp. 153-54.

The civil law defines marriage as a sharing and consortium of both divine and human law. Therefore in accordance with these things the Holy Fathers determined that an Orthodox man is not joined according to the law of marriage with a heretical woman or conversely.¹⁰

This civil definition of matrimony was also used in Matthew Blastares' analysis of the same legislation:

For if according to civil law, marriage is defined as a sharing and consortium of both divine and human law, how would they that differ concerning greater matters regarding the disposition of the soul, come together with one another while thinking contradictory things concerning the faith?¹¹

Disagreement over faith and spiritual matters, resulting in a lack of Eucharistic communion, was also thought to result in a lack of oneness of souls that lead to disunity in other areas as well.

Concerning this disunity, John Zonaras stated:

For if the condition of the soul concerning faith is in contradiction for the spouses, how will they be of one soul concerning other matters? Or how might those who are irreconcilable on the greater matter, I speak of the faith, and who are not in communion, agree with one another and be in mutual communion on the remaining matters?¹²

Zonaras held that "mutual" or marital communion was predicated on the sharing of a spiritual oneness of souls, a common faith, and Eucharistic communion. The inability of the spouses to share the divine communion resulted in a marriage that was considered by Zonaras to be "unlawful" (ἄθεσμος). Balsamon emphasized the point: "Are they not at enmity because of a different way of life?"¹³ Spiritual disunity was viewed as separating the spouses and resulting in no real marital union. This underlay Balsamon's statement that such unions were "without foundation" (ὡς ἀνυπόστατον) and Blastares' conclusion that attempted marriages of heretics with Orthodox were "null" (ἄκυρον), the same description used by

¹⁰ Rhalles and Potles, 2: 472; Theodore Balsamon composed commentaries on the canons of the fathers, ecumenical councils, and local synods. He is also the author of important treatises dealing with marital kinship, impediments, and ecumenical relations. His canonical writings are contained in the first five volumes of Rhalles and Potles and in P.G., 137 and 138. For additional information, see my article, "Marital Relations in the Theology of the Byzantine Canonist Theodore Balsamon," *Ostkirchliche Studien* 39 (1989) pp. 281-88.

¹¹ Rhalles and Potles, 6, p. 174.

¹² Rhalles and Potles, 2, p. 472.

¹³ Rhalles and Potles, 2, p. 473.

the twelfth century commentator Alexios Aristenos.¹⁴ The absolute prohibition of the celebration of such marriages was based on the view that no lawful union could be formed.

A major exception to this prohibition occurred in the case of those spouses that contracted marriage while "not yet enclosed within the Orthodox flock," but since that time, one of whom was baptized. The Council in Trullo decided that based on St. Paul's teaching in 1 Corinthians 7: 12-14 the faithful party could continue to live with the unbelieving spouse.

This Scriptural passage and the problem posed by the exception that it presented to the general prohibition of mixed marriages was treated variously by different Byzantine commentators. In his fourteenth century commentary on the canon, Matthew Blastares changed the entire sense of the Scripture:

As Paul the Great declares in the First Epistle to the Corinthians, 'Thus if the faithful wife chooses to cohabit with an unbelieving husband, or contrariwise the faithful husband with the unbelieving wife, let he or she not be separated, for the unbelieving husband has been sanctified by the wife, and vice versa.'¹⁵

In the scriptural text, the unbelieving spouse's consent to live with the believer was made the condition for the marriage's continuance, not the believer's. On the basis of his version, Blastares concluded the contrariwise; "if the faithful one does not consent, the marriage will without doubt be dissolved."¹⁶ He also confined such unions to "the time of the beginning and origins of the Kerygma." Blastares stated that "at present" such mar-

¹⁴ Rhalles and Potles, 2, p. 473; 6, p. 174. Rites of marriage in late Byzantium included the reception of communion for those who were not under penance. Cf. the discussion in Korbinian Ritzer, *Formen, Riten und religiöses Brauchtum der Eheschließung in den christlichen Kirchen des ersten Jahrtausends* (Münster, 1981), pp. 140-43. The presence of the Eucharist in the marriage ceremony may be related to the spiritual oneness discussed by the canonists. Through the reception of communion together, the spouses can be viewed as manifesting their spiritual unity. However, this reception of the Eucharist was not regarded as a necessary element in the formation of marriage. See my article, "The Formation of Marriage in Late Byzantium," *St. Vladimir's Seminary Quarterly* 35 (1991) pp. 309-25.

¹⁵ Rhalles and Potles, 6, p. 174.

¹⁶ This is identical to the position of Aristenos, who stated (Rhalles and Potles, 2, p. 473): "And if some who while unbelievers were bound in legal marriage, and then if the one spouse came to the faith but the other was restrained by error, and if the believing man is willing to live with the unbelieving woman or the reverse, let them not be separated, according to the Divine Apostle Paul."

riages did not seem possible. In this regard, he cited a case that arose under Patriarch Theodotos of Constantinople (1151/2–1153/4):

For an imperial trumpeter who was baptized, was separated by patriarchal letter from his wife who was not convinced by the husband's entreaties to adopt many things of piety.¹⁷

This interpretation of 1 Corinthians differs from Zonaras and Balsamon. Zonaras followed the Pauline text accurately and made the marriage's continuance predicated on the consent of the unbeliever. While Balsamon cited the scriptural passage correctly, he stated that both spouses must consent, and used the case of the imperial trumpeter as an example to show that the agreement of both the believer and the unbeliever was necessary to continue a matrimonial union:

Likewise also note the wording of the canon, which states, 'If the unbelieving woman is content to live with the believing man; or the reverse, the unbelieving husband with the believing woman, let them not be separated.' For if one of these chooses to be separated, at this point the marriage will be sundered. For an imperial trumpeter was after baptism separated from his unbelieving wife by a patriarchal decision, since she was not persuaded by the entreaty of the husband to be baptized.¹⁸

This was quite different from Blastares, who changed the context entirely and cited this case in order to show that mixed unions were simply not possible.

There were thus three different solutions to reconciling the apparent contradiction between the absolute prohibition of mixed marriages and the exception based on Scripture. Zonaras reconciled the two by stating that in this particular case "the Fathers decided to follow the command of Paul the Great," and made the marriage's continuance predicated on the consent of the unbeliever.¹⁹ Balsamon agreed with this, added that "there is also hope that the spouses will have unity of mind by one of them choosing the Orthodox faith," and made the marriage's continuance predicated on the consent of the unbeliever.²⁰ Blastares appeared to hold that both Paul and the council were making a concession and that there was no need to reconcile the two, since such exceptions were no longer possible.

¹⁷Rhalles and Potles, 6, pp. 174–75. Cf. Balsamon's account in Rhalles and Potles, 2, p. 473.

¹⁸Rhalles and Potles, 2, p. 473.

¹⁹Rhalles and Potles, 2, p. 471.

²⁰Rhalles and Potles, 2, p. 473.

Clergy

One of the main canons cited by late Byzantine legal collections as forbidding marriages between Orthodox clergy and heretics was the fourteenth canon of Chalcedon. The canon not only imposed this restriction, but also presupposed and dealt with already existing unions of clergy and heterodox:

Since in certain eparchies it has been granted for readers and chanters to marry, the Holy Synod decreed that it is not permissible for any of them to marry heterodox women. However, those who have already produced children from such marriages, if they already baptized with the heretics the ones born from them, they should introduce them into the communion of the Catholic Church. However, they are not able to baptize with the heretics those who are not baptized, nor join them in marriage with a heretic, Jew, or pagan ("Ελληνι), unless perhaps the person who is being joined to the Orthodox party might promise to be converted to the Orthodox faith. But if anyone might transgress the decision of the holy synod, let him be subject to a canonical penalty.²¹

According to Byzantine commentators of this canon, children from such unions were to be introduced into the "the communion of the Catholic Church" either by baptism or chrismation. According to Zonaras, the mode of reception was determined on the following basis:

Those who are brought will either be only anointed with Holy Myrrh, if they were baptized by heretics whose baptism is reckoned to be acceptable to the Church; or be baptized again, if the baptism of the heretical ones that baptize them is rejected by the Church.²²

In agreement with the council, Zonaras, Balsamon, and Blastares directed that unbaptized children were not to be baptized by heretics, but brought into the Catholic Church.²³

These regulations dealt with mixed marriages that existed at the time of the council. However, future unions with the heterodox were strictly forbidden. The Byzantine canonist John Zonaras stated in his commentary:

And for the future this synod forbade Orthodox clergy to unite with heterodox women. It requires those who have already united, and of these the

²¹ Rhalles and Potles, 2, pp. 251-52.

²² Compare also the similar commentary of Blastares in Rhalles and Potles, 6, p. 173: "And if they happened to be baptized by heretics whose baptism is rejected by those who think soundly, they are to be baptized over again. But if their baptism is not thus rejected, they are to be chrismated only with divine myrrh."

²³ Rhalles and Potles, 2, pp. 252-53; 6, p. 173.

ones who have children, to bring their own children to the Catholic Church, even if they happen to be already baptized by heretics.²⁴

However, if a union was desired between a heretic and an Orthodox, the canon required that the heterodox party promise “to be converted to the Orthodox faith.” According to Zonaras and Blastares, if this took place, the “contract” (συνάλλαγμα) was permitted “to proceed.” This contract appears to have been a form of betrothal since, according to both, the union (συνάφεια) was “delayed, until the substance of his (the heretic’s) promise would be confirmed by works.”²⁵

Conclusions

The treatment of marriage law was generally divided by late Byzantine commentators into legislation affecting laity and clergy. In late Byzantine canonical works, canon seventy two of the Council in Trullo was treated as an ecclesiastical law addressed to the laity. Nevertheless, the seventy-second canon as well as other legislation forbade with identical strictness the marriage of the laity and clergy with heretics. The reason for the general prohibition of mixed marriage was that such attempted unions did not fulfill the Byzantine legal definition of matrimony as “a sharing of divine and human law.” Mixed marriages did not result in the sharing of divine law and were not considered true matrimonial unions.

PRESENT CANONICAL PRACTICE, RECEPTION, AND MIXED MARRIAGE

The Greek Orthodox Archdiocese allows the mixed marriage of baptized Protestants and Roman Catholics with Orthodox if the celebration takes place in the Orthodox Church, the Orthodox priest is the sole celebrant, and every effort is made afterward to raise any offspring as Orthodox Christians.²⁶ The non-Orthodox spouse is not required to formally convert

²⁴ Rhalles and Potles, 2, p. 252.

²⁵ Rhalles and Potles, 2, pp. 252–53; 6, p. 175; The conversion of the non Orthodox party did not always take place in practice and mixed marriages even occurred with Saracens, according to D.M. Nicol, “Mixed Marriages in Byzantium in the Thirteenth Century,” in *Studies in Church History*, ed. C.W. Dugmore and Charles Duggan (London, 1964), 1, pp. 160–72. There are certain deficiencies in this study, including the misidentification of “τούς Ἰβηρᾶς” with the Spanish rather than Georgians in the translation of Balsamon’s description of certain Orthodox marrying Hagarenes (Rhalles and Potles, 2, p. 473).

²⁶ Robert G. Stephanopoulos, *Guidelines for Orthodox Christians in Ecumenical Relations* (New York, 1973) pp. 19–22.

if "baptized in the name of the Holy Trinity."²⁷ Mixed marriages with non-Christians are strictly forbidden. This policy is clearly stated in a recent marriage guide of the Archdiocese:

A marriage cannot be blessed or recognized by the Orthodox Church between an Orthodox Christian and someone not of the Christian faith. Religious groups which are not of the Christian tradition include: adherents of Judaism and Islam; Buddhism, Hinduism and other Far Eastern religions or movements, the Mormons ("Latter-Day Saints"), Christian Scientists, Seventh-Day Adventists, Jehovah's Witnesses, and various cults.²⁸

Spouses previously married in other Christian churches and who convert to Orthodoxy are required to undergo an Orthodox rite of marriage. This requirement implies that the prior wedding is not a true sacrament. The issue is somewhat confused by the present practice of not requiring a marriage rite when only one party converts. This policy appears based on 1 Corinthians 7: 12-14.²⁹

According to the Archdiocese's canonical practice, a Greek Orthodox who marries in the Roman Catholic church is excommunicated. Since the Archdiocese allows a mixed marriage in which the Roman Catholic party is not required to convert in order to be united through the Orthodox nuptial rite, the practice of excommunicating Orthodox parties who are conversely married in the Latin Church implies a rejection of the Catholic sacrament as true matrimony. This is confirmed by the fact that the Orthodox party joined according to the Roman rite must be married again in the Orthodox Church in order to be reconciled, even though his or her spouse is not required to convert.

According to the official position of the Greek Orthodox Archdiocese, the priest is regarded as the minister of the sacrament of matrimony. The sacerdotal blessing is regarded as establishing the marriage union. The May 20, 1970 *Agreed Statement on Mixed Marriages* of the United States Orthodox-Catholic Consultation makes this point clear:

According to the view of the Orthodox Church the marriage of an Orthodox can only be performed by an Orthodox priest as the minister of the sacrament. In the view of the Catholic Church the contracting partners are the

²⁷ The Greek Orthodox Archdiocese of North and South America, *The Priest's Handbook* (Brookline, 1987) p. 89.

²⁸ *Marriage in the Greek Orthodox Church, Policy and Guidelines* (New York, n.d.) pp. 6-7.

²⁹ Although, the provisions of the Scripture are more applicable to non-baptized spouses rather than baptized Protestants and Roman Catholics.

ministers of the sacrament, and the required presence of a Catholic major cleric as witness of the Church can be dispensed with for weighty reasons. In view of this, we recommend that the Catholic Church, as a normative practice, allow the Catholic party of a proposed marriage with an Orthodox to be married with the Orthodox priest officiating.³⁰

If the basis of the excommunication lies in the lack of a sacerdotal blessing for unions celebrated outside Orthodoxy, in the case of a converting spouse the reception into the Orthodox Church without the performance of a new marriage rite is not consistent with this view of non-Orthodox matrimony, even if it is explained as an exception based on Scripture.

Baptism and Mixed Marriage.

The present practice of allowing the marriage of Orthodox with other baptized Christians raises the question of the Archdiocese's view of baptisms celebrated in other churches. The acceptance of such Christians without the requirement of conversion appears to imply that their baptism is recognized. Nevertheless, in the Orthodox church, baptism is always celebrated in conjunction with chrismation and the reception of the Eucharist. The reception of the Eucharist is allowed only for Orthodox faithful. communion is regarded as a sign of the unity of the faith. The Eucharist is not viewed as a means towards achieving union, but rather its sharing is the crown or fulfillment of unity. Non-Orthodox spouses married in the Archdiocese are not recognized as members of the Orthodox church and are not permitted to receive communion. The question is thus raised whether the Greek Orthodox Archdiocese views these spouses as Christians. Furthermore, if they are not full members of the Church, how does the Greek Orthodox Archdiocese permit mixed marriages to take place if, at the same time, the reception of Mysteries by non-Orthodox and matrimony between baptized and non-baptized are forbidden? An approach to these questions may be found through a brief historical survey of Orthodox canonical opinion on Roman Catholic baptism and mixed marriage.

Reception

The fourteenth century Byzantine canonist Matthew Blastares discussed the mode of reception used for the conversion of heretics in his commentary on canon 14 of the Fourth Synod. In this discussion, recognition was

³⁰Edward Kilmartin, *Toward Reunion—The Orthodox and Roman Catholic Churches* (New York, 1979) pp. 75-76.

extended to some non-Orthodox baptisms. The reception of such parties was described as taking place through chrismation:

And if they happened to be baptized by heretics whose baptism is rejected by those who think soundly, they are to be baptized over again. But if their baptism is not thus rejected, they are to be chrismated only with divine myrrh.³¹

The recognition of certain heretical baptisms was based on Blastares' definition of heretics as "those who receive our Mystery, but are mistaken in some things, on account of which they are at variance with the Orthodox."³²

In his commentary on canon 14 of Chalcedon, the Byzantine canonist John Zonaras similarly stated that "heretics are said to be those that receive our Mystery but that are mistaken in something, and are in disagreement with the Orthodox."³³ Theodore Balsamon, in his interpretation of the same canon made clear that the word "Mystery" referred to baptism:

For you have seen that heretics are divided into two categories, into those that received our Mystery and the divine condescension, but who are mistaken in some things, and when they come to us, we anoint them only with myrrh. And into those that absolutely do not receive this, who are unfaithful, i.e., Jews and Greek, whom we also baptize.³⁴

In his interpretation of Chalcedon 14, Balsamon was stating that the mystery of baptism could be received and administered by heretical groups. Consequently, these heretics would only be required to undergo chrismation in order to enter the Orthodox Church. His underlying point was situated in the description of certain heretically administered baptisms as "our mystery," in other words, a sacrament of the Orthodox Church.

Balsamon, Zonaras, and Blastares were stating that the baptism of the Orthodox Church could be administered by heretics and consequently not be rejected by those who "think soundly." The baptism of these heretics did not constitute a second type of baptism, but was the same as the one baptism administered by the Orthodox.

The reception of Roman Catholics was not described by Blastares beyond the following:

³¹ Rhalles and Potles, 6, p. 173.

³² Ibid.

³³ Rhalles and Potles, 2, p. 253.

³⁴ Ibid.

The council states that if perhaps the heretic or the unbeliever promises to observe the Orthodox faith, let the contract proceed. However, let the union be delayed, until the substance of his promise would be confirmed by works. Latins who choose to marry Orthodox women are also required to do these things.³⁵

From this text, it is not clear which mode of reception was accepted by Blastares in the case of Latins. Balsamon stated the following in his commentary on canon fourteen of the Fourth Synod:

...and note that according to the present canon, Latins that wish to marry Roman women are compelled to renounce their separation from the Church.³⁶

Although the canon required the baptism of heretics, Balsamon's statement implied that the reception of Roman Catholics took place through profession of faith. This point was confirmed in his sixteenth answer to Mark of Alexandria:

A member of the Latin race ought not to be sanctified through the divine and undefiled Mysteries, unless he first promises to refrain from Latin dogmas and customs, is instructed in the canons, and lives as an Orthodox.³⁷

However, Blastares neither cited this text nor made clear whether this practice continued during his own period.

In any case, a council held in 1484 at Constantinople decided that Latins should be received through chrismation.³⁸ This policy was changed in 1750, when Patriarch Cyril V (1748-51; 1752-57) of Constantinople ruled that Roman Catholics should be accepted only through baptism. The new policy became an issue in the patriarch's standing synod, the *Synodos Endemousa*, where most of the metropolitans were opposed to the change. However, the baptizing of Latins gained popular support in Constantinople.

The result of the conflict within the patriarchal synod was the removal of Cyril in 1751 and the installation of a new patriarch, Paisios II. In July or August 1752, the Synod condemned the preaching of the monk Auxentios of Nikomedia who supported baptism of Latins. This led to an uprising of the Greek population in the capital and the reinstatement of Cyril.

The Synod reacted in April 1755, by condemning the works of Christopher the Aetolian, who defended the anti-Latin position. In turn, Cyril issued

³⁵ Rhalles and Potles, 6, p. 173.

³⁶ Rhalles and Potles, 2, pp. 253-54.

³⁷ Rhalles and Potles, 4, p. 460.

³⁸ The text of a fifteenth century service is found in Rhalles and Potles, 5, pp. 143-47.

two documents. The first was an anathema on all that accepted the effectiveness of heretical or schismatical baptism. The second was an encyclical also signed by Matthew of Alexandria and Parthenios of Jerusalem that attempted to theologically justify the rejection of all non-Orthodox baptism. The reception of both Catholics and Protestants through baptism became the policy of Constantinople and the Greek-speaking churches for the next hundred years.³⁹

The eighteenth century theologian and canonist, St. Nikodemos of the Holy Mountain, defended the policy of rebaptism and required that the reception of both Roman Catholics and Protestants take place through baptism.⁴⁰ The only true mysteries in his view were those celebrated by the Church. All rites outside of the Church were devoid of grace. As there was one Church, so also he held that there must be one true baptism. If one maintained that the baptism of heretics or schismatics was true, the result was to declare that there were two baptisms and two churches. For Nikodemos, Scripture clearly mandated that there was "one Lord, one faith, one baptism."⁴¹

The Church was characterized as having "two types of government (κυβερνήσεως) and correction (διορθώσεως)."⁴² Both were said to have as their aim "the salvation of souls (τὴν σωτηρίαν τῶν ψυχῶν)."⁴³ The first was named "strictness" (ἀκρίβεια). It was exemplified by the rejection of all heretical baptism. This type of government was employed in Holy Apostles forty-seven and forty-eight.

³⁹ The above account of the baptism controversy is based on Louis Petit, "L'entrée des Catholiques dans l'église orthodoxe," *Échos d'Orient* 5 (1899) pp. 129-38, and Timothy Ware, *Eustratios Argenti* (Oxford, 1964) pp. 65-107. A Greek text of the 1755 encyclical is contained in *Mansi*, 38, pp. 617-22 and an English translation in Alexander Kalomiros, *Against False Union*, 2nd edition (Seattle, 1978) pp. 98-100.

⁴⁰ St. Nikodemos the Hagiorite (c. 1748-1809), a hieromonk of Mount Athos canonized by the Church of Greece in 1955, was one of the most prolific Orthodox theologians in the modern period. The range of his writings covers almost every aspect of theological study. His most important canonical work, *Πηδάλιον τῆς νοητῆς νηὸς τῆς μᾶς καθολικῆς καὶ ἀποστολικῆς τῶν ὀρθοδόξων Ἐκκλησίας* (*Rudder of the Metaphorical Ship of the One Catholic and Apostolic Church of the Orthodox*) more commonly referred to as *Πηδάλιον* or *Rudder*, is the main collection of law presently used by the Greek Orthodox Church. For additional information concerning the thought of Nikodemos on marriage, see my article, "The Theology of Marriage in the *Rudder* of Nikodemos the Hagiorite," *Ostkirchliche Studien* 41 (1992), pp. 187-207.

⁴¹ Ephesians 4. 5.

⁴² Nikodemos of the Holy Mountain, *Πηδάλιον* (1982) p. 53.

⁴³ Ibid.

The second was termed “economy” (οἰκονομία). The acceptance of certain heretical baptisms in canon ninety-five of the Sixth Synod was cited as an example of its use. Such acceptance of heretics was said to have been made for the good of the Church and to avoid its persecution.⁴⁴

Nikodemos stated that in those instances where economy was employed in the reception of certain heretics through chrismation and not by baptism, these groups had preserved “both the form (τὸ εἶδος) and the matter (τὴν ὕλην) of the baptism of the Orthodox.”⁴⁵ The “matter” of Orthodox baptism was threefold immersion (καταδύσεις) and emersion (ἀναδύσεις) in water. The “form” was said to be the invocation in the name of the Trinity. This fashion of baptizing was characterized as Apostolic.⁴⁶ Although the “type” (τύπος) of Orthodox baptism was present amongst certain heretics, these rites were still meaningless and devoid of grace. Nevertheless, since the proper fashion of baptism had been followed, the Church as the steward of grace could accept such heretics by economy and thus be-

⁴⁴ Nikodemos' concept of economy and strictness appears to have been rejected by the Greek Orthodox Archdiocese in a May 19, 1976 joint statement on economy made by the Orthodox-Roman Catholic Bilateral Consultation in the United States, [Kilmartin, *Toward Reunion*, pp. 87-88]: “9. Recent presentations of economy often have included the following elements: (a) Economy understood as a departure from or suspension of strict application (akriveia) of the Church's canons and disciplinary norms, in many respects analogous to the West's *dispensatio*. (b) Economy applied not only to canon law and church discipline, but to the sacraments as well. In this context, it has been argued, for example, that all non Orthodox sacraments, from the point of view of strictness, are null and void, but that the Orthodox Church can by economy treat non Orthodox sacraments as valid. These views imply that the application of economy to the sacraments may vary according to circumstances, including such pastoral considerations as the attitude of the non Orthodox group toward Orthodoxy, the well being of the Orthodox flock, and the ultimate salvation of the person or groups that contemplate entering Orthodoxy. 10. These recent interpretations do not, in the judgement of the Consultation, do justice to the genuine whole tradition underlying the concept and practice of economy. The Church of Christ is not a legalistic system whereby every prescription has identical importance, especially when ancient canons do not directly address contemporary issues. Nor can the application of economy make something invalid to be valid, or what is valid to be invalid....” There are various Orthodox definitions of economy. For a survey, see Francis J. Thomson, “Economy, An Examination of the Various Theories of Economy Held within the Orthodox Church, with Special Reference to the Economical Recognition of the Validity of Non Orthodox Sacraments,” *The Journal of Theological Studies* 16 (1965) pp. 368-420. This survey is written from a Thomistic viewpoint.

⁴⁵ Πηδάλιον, p. 54.

⁴⁶ Ibid.

stow by means of chrismation what was missing, the inner-content of the mystery.

According to Nikodemos, the baptism of the Latins was to be rejected on two grounds. The first reason was that they were heretics. He based this conclusion on the writings of Dositheos of Jerusalem (1641-1707), Elias Meniates (1669-1714), St. Mark of Ephesus (1391/92-1445), and Sylvester Syropoulos (fifteenth century). As heretics, Roman Catholics were separated from the Church. Their clergy were to be regarded as laymen (λαϊκοί). Such priests were unable to administer baptism since they no longer "have the Grace of the Holy Spirit through which Orthodox presbyters celebrate the Mysteries."⁴⁷ Hence, all Latins were to be regarded as unbaptized heretics without true mysteries, including baptism.

The second reason for rejecting Roman Catholic baptism was their abandonment of the Apostolic form of initiation, three immersions and emersions in the name of the Trinity. Although they were credited with retaining the invocation, the Latins were condemned for using affusion (ἐπίχυσιν) and aspersion (τὸ ῥάντισμα). Nikodemos stated that he had learned this from the writings of Eustratios Argenti (c.1687-c.1757), an anti-Latin theologian who sided with Cyril V during the baptism controversy of the 1750s. By utilizing these forms, the Latins corrupted the Apostolic and Orthodox "mode of the matter of baptism (τὸν τρόπον τῆς ὕλης τοῦ βαπτίσματος)." Consequently, there was a need to supply both grace and the proper form. Hence, he reached the conclusion that all Protestants and Roman Catholics should be received through the employment of strictness, i.e., by means of baptism and not by economy, namely, chrismation.⁴⁸

In the past, Nikodemos noted that Latins were received by economy. He attributed this to the physical threat that the pope and his influence posed to the Orthodox East. With the advent of the Turks, this menace had been checked and there was no longer any need to avoid offending the Latins.⁴⁹ If Nikodemos' viewpoint on this issue is accepted, there is no theological explanation for why Latins in 1484 after the Turkish conquest could be received by chrismation and even profession of faith. If consistency is to be maintained, either the Church was deeply mistaken in recognizing in the Latin usage the presence of an Apostolic form of baptism, or Nikodemos had committed the error by not acknowledging such a form.

At the end of the nineteenth century, the Patriarchal Synod of Constantinople ruled in a series of decisions that Roman Catholic and Prot-

⁴⁷ *Πηδάλιον*, p. 55.

⁴⁸ *Πηδάλιον*, pp. 54-58.

⁴⁹ *Πηδάλιον*, p. 58.

estant converts already baptized in the name of the Trinity should be received by chrismation.⁵⁰ The present practice for the reception of converts in the Greek Orthodox Archdiocese is based on this policy.

In the Archdiocese, the baptism of a convert occurs when no prior reception of the sacrament in the name of the Trinity has taken place.⁵¹ The present rite of chrismation in the case of Roman Catholics bears little relation to the fifteenth century version already mentioned.⁵² The earlier service involved a formal abjuration of heterodox doctrines, an element that is totally absent from the new rite. These ‘heretical’ doctrines were individually abjured through a formal series of questions and answers between the candidate and officiating clergyman.

Reflection and Conclusion

How should the Archdiocese’s policy be understood? Based on the historical survey above, two different understandings can be held. If one accepts the views of Nikodemos the Hagiorite, the present administration of chrismation is an administration of economy and a supplying by the Church of grace to the empty forms of Western baptism. Opposed to this position, the explanation of heretical baptism set forth by Blastares, Zonaras, and Balsamon contrasts sharply, especially in the description of those separated from the Church as receiving “our Mystery.” In this sense, certain heretics and schismatics could be regarded as Christians who have received the one baptism of the Church, but have separated themselves through different belief. The manner in which they are received would be based simply on whether baptism was administered. According to this viewpoint, the Church remains the steward of the mysteries, but baptism could be performed outside of her institutional boundaries.

A patriarchal synodal decision on July 31st, 1881 (which was repeated in 1883, 1886, 1887, 1888, and 1889) stipulated that two methods of “economy” could be utilized concerning the marriage of a baptized non-Orthodox to an Orthodox party; the chrismation of the heterodox before the wedding or a written promise by both parties to raise all children in the Church.⁵³ This use of “economy” appears to be the basis of the Archdiocese’s

⁵⁰ The relevant nineteenth century decisions of the *Synodos Endemousa* are found in Michael Theotokas, *Νομολογία τοῦ Οἰκουμενικοῦ Πατριαρχείου* (Constantinople, 1897) pp. 354-74.

⁵¹ For current policy, see Stephanopoulos, *Guidelines*, pp. 18-19.

⁵² The rite of chrismation is found in: *Handbook*, pp. 85-87.

⁵³ Theotokas, p. 358.

present policy of celebrating mixed marriages between Orthodox and baptized non-Orthodox without a requirement for conversion.⁵⁴

As stated above, this practice exists side by side with the present reception of Roman Catholic converts through chrismation, as well as the debarment of non-Orthodox from other Orthodox sacraments. Neither Nikodemos nor the earlier canonists accepted the union of Roman Catholics with Orthodox, unless the Latin party converted before the marriage rite was celebrated. The present administration of an Orthodox sacrament to those outside of Orthodoxy appears to be a use of ecclesiastical economy made with the good of the Church and the salvation of souls in view, yet inconsistent with the late Byzantine canonical tradition.

⁵⁴ See Lewis J. Patsavos, "'Mixed' Marriages and the Canonical Tradition of the Orthodox Church," *The Greek Orthodox Theological Review*, 23 (1978), pp. 243-56.

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Mixed Marriage in Historical Perspective

DEMETRIOS J. CONSTANTELOS

It has been emphasized that we need to preserve the memory, the lessons and the ethos of the past which have contributed to the formation of the present and can determine the nature of the future. The mind and ethos of the past is very much alive in the present. Thus my starting point is a brief review of mixed marriages in pre-Christian centuries.

Endogamy was the normal practice in many ancient and still is in several modern, societies. It is marriage within one's racial group. Whether because of geographical conditions, religious beliefs, or cultural considerations, exogamy, marriage between persons of two different ethnic or racial groups, was forbidden. Endogamy was the dominant practice in ancient Israel and Greece among other ancient nations. We shall limit our remarks to these two historical groups because both have played a major role in the birth, formation, and dissemination of Christianity. Both nations favored endogamy for two different reasons, religious for Israel and cultural for the Greeks.

Nevertheless, exogamy was not absent from either one. While Abraham sent his servant to find a wife for Isaak from among his own relatives (Gen. 24; Gen. 28.1-2,9), Essau married Judith, daughter of Beeri, the Hittite (Gen. 26.34), and Joseph married the Egyptian Asenath (Gen. 41.45). While the commoners were urged to marry within the group, mixed marriages became common among the kings of Israel and Judah. David married Abigail the Ammonite, and Solomon the Egyptian Pharaoh's daughter. People in power, whether political or religious, have always had their own standards. Post-exilic literature such as the book of Ruth reveals that a mixed marriage became more acceptable after the fifth century. As a rule, however, exogamy or mixed marriage was viewed as a threat to Jewish exclusiveness and as a way to apostasy (Deut. 7.1-6; 1 Kings 11.1-8, 16.31-

32; Ezra 9-10; Neh. 10.18-30, 13.23-27).

While endogamy was the rule in Mycenaean and archaic Greek society, mixed marriages between Hellenes and foreigners were not uncommon. But exogamy was not so much a marriage between a Greek and a Scythian or a Persian, but between persons of different city-states—between an Athenian and a Melesian, a Spartan and a Messenian, a Macedonian and a Thessalian. Endogamy was recommended not for tribal or racial but for practical reasons. For example, Hesiod advised that a man should seek a bride who lives near by, from the same neighborhood, or town, so that the bride's reputation would be well known to all (Τέν θέ μάलिςτα γαμέιν, ε τίς σέθεν εγγυθί ναίει πάντα μάλ' αμφίς ιδόν)¹—"papoutsi apo ton topo sou ki as ein' kai balomeno" the modern Greeks advise).

Later, in the golden age of Athens, Perikles was rebuked by his fellow Athenians because he wanted to marry Aspasia from Miletos. He could have married her legally if she were an Athenian.² Wives should be natives to the city, *hetairai* could be from any other city. It was after the great plague in 430 B.C. and the depopulation of Athens that the Athenians were allowed, even encouraged, to marry Greek women from other city-states. Nevertheless even before the Peloponnesian war, prominent Athenians had married outsiders, including slave women. Themistocles, for example, the genius of the Greek victory at Salamis, was the son of an Athenian and a slave woman from Thrace.³ Paradoxically, the tradition of endogamy survives to the present day in several areas of modern Greece. Until very recently, in the island of Psara no marriage of a female was allowed with an outsider unless the groom was of extremely good reputation and would promise to settle permanently on the island. In general one might add that in both Hebrew and Hellenic Societies impediments for mixed marriages arose from religious, cultural, and practical considerations.

II. CHRISTIAN ATTITUDES

The Christian Church's attitude toward mixed marriage was a direct influence of the Hebraic tradition. While marriage between Christians of different races and cultural backgrounds was allowed from as early as the Apostolic times, marriages between Christians and non-Christians, and Christians and heretics were discouraged for purely religious reasons.

¹Hesiod, *Works and Days*, 695-701

²Xenophon, *Oekonomikos*, 3:14; Aristophanes, *Acharneis*, 526-527.

³Plutarch, *Themistokles*, 1.

There are several similarities between Judaism and early Christianity in their attitude toward marriage. Mixed marriage between Jews and Gentiles in the communities of the diaspora were tolerated, provided the gentile would convert to Judaism. This type of marriages was more common in the Greek East than the Latin West. The Latin historian Tacitus⁴ relates that the exclusive attitude of the Jews in Rome and endogamy among them was notorious. Roman Jews lived more comfortably among the Greeks. Even in the city of Rome, most of the Jews were Hellenized and spoke Greek rather than Latin. A recent study of 534 Jewish inscriptions of Rome reveals that, 405 (75%) are in Greek; of the rest 123 (23%) are Latin, 3 are in Hebrew, one in Aramaic, one bilingual Greek and Latin, and one more bilingual Aramaic and Greek. "From these figures it is quite apparent that the Roman-Jewish community, which existed from about 100 B.C.E., was Greek-speaking."⁵ The case of Paul's disciple Timothy is a good illustration of a mixed marriage between a Jew and a Greek in the East. His mother was Jewish and his father a Greek (Acts 16:1-3).

As in the case of Jews versus Gentiles, likewise early Christians were allowed to marry non-Christians on condition that the non-Christian spouse would convert to Christianity. The first letter to the Corinthians indicates that St. Paul discouraged marriage of a Christian with a Pagan. "A wife is bound as long as her husband lives. But if the husband dies, she is free to marry anyone she wishes, but only in the Lord" (1 Cor. 7:39). *En Kyrio* has been interpreted by Greek Fathers and modern scholars to mean a "Christian marriage." Theodoretos of Cyrrihus adds that the key word is *homopisto*,⁶ that husband and wife should be of the same faith.

In the same letter St. Paul advised that if a Christian was already married to an unbeliever and the latter had no objection in living with a Christian, the unbeliever should not be divorced. In an already mixed marriage the Christian was advised to remain united to the non-Christian spouse. In such a union the unbeliever *hégiaistai*, was sanctified, because the physical-sexual relationship united him/her to the believer who is consecrated to God in the person of Jesus Christ. By consenting to live with a Christian, the Jewish or Pagan spouse accepted a participation in a consecrated life.

⁴Tacitus, *Historia*, v. 5.

⁵Harry J. Leon, "The Greek Inscriptions of the Jews of Rome," *Greek, Roman, and Byzantine Studies* 2: 1 (January 1959) 47.

⁶N. Trempelas, *Ypomnema eis tas Epistolas tou Pavlou* (Athens, 1937), 198, n. 39.

In theory neither St. Paul nor the early Christian Community authorized a mixed marriage between a Christian and a non-Christian. However, martyrologies and early Christian literature indicate that mixed marriages between Christians and non-Christians were not rare though they were problematic. People of the same religious faith were considered as people having a better chance for a happy married life. Even non-Christian intellectuals such as the Greek biographer and moralist Plutarch (46 C.E.-120) was of the opinion that marriage cannot be a happy one unless husband and wife were of a similar background. The Greek tradition had emphasized that marriage should be a source of happiness because "nothing is better or greater than a home where man and wife are living together harmoniously and in love...a very great joy to people of good will, and greatest of all to themselves" as we read in Homer's *Odyssey*.⁷

Early Christian authors also encouraged marriage between believers for the sake of their own happiness. The two believers come under the same discipline, have one hope and are dedicated to the same service. "The two are brethren, the two are fellow-servants; no difference of spirit or flesh; yes, truly, two in one flesh; where there is one flesh the spirit is one" wrote Tertullian.⁸

Our knowledge about Christian marriage and mixed marriages in particular during the first four centuries of the Christian era is limited. With the exception of Clement of Alexandria and Tertullian of Carthage, we have no detailed information either about marriage as one of the Christian sacraments or about the attitude of the Church toward mixed marriage. Even the ecclesiastical historians Eusebios, Socrates, Sozomenos, Philostorgios and Evagrius of the 6th century fail to provide some important pieces of information about our subject.

On the basis of fragmentary evidence we infer that the pre-Constantinian Church condemned mixed marriages not only with Jews and Pagans but also with heretics and even schismatics. Intermarriage, between Christians of different races and social positions, however, was allowed albeit not common. For example one of the accusations against Kallistos, the bishop of Rome in 219 was that he allowed marriages between slaves and freedmen and even well-born Christian women.⁹

⁷Plutarch, *Peri Paidon Agoges*, 2, 19; Homer, *The Odyssey*, VI, 180-185.

⁸Tertullian, *Ad Uxorem* I, 3; II, 8-10.

⁹Hippolytos, *Elenhos*, 9:21-40.

Either because of the eschatological nature of early Christianity, or because many of the leading Christian fathers were celibates, very few of them wrote on marriage. Clement of Alexandria was one of the few exceptions. In his *Stromateis* he devoted a brief chapter on marriage, and on the basis of certain terms he used we conclude that he encouraged marriage between fellow believers. He writes that those who enter into marriage must take into account several considerations such as age, circumstances, goal and purpose of marriage. “Τῖνι γὰρ γαμετέον ὅπερ καὶ πὸς ἐχόντι, καὶ τίνα καὶ πὸς ἐχούσαν...καὶ χρόνος ἐστὶν ἐν ᾧ προσέκει καὶ ἡλικία μέηρι τῖνος.” Since marriage is the union of divine images in human form, it must be kept pure from those who may defile it (katharón oún tón gámon ὅσπερ τι hieron agalma ton miainónton fylaktéon).¹⁰

Due to belief that Christians were “a chosen race, a royal priesthood, a holy nation, God’s own people...called out of darkness into God’s marvelous light” (1 Pet. 2:9), marriage between them and non-believers was considered a defilement.

With the emergence of the Church from the catacombs and the adoption of Christianity as the state religion of the late Roman or early Byzantine Empire, Church canons were specifically issued condemning mixed marriages. The Arabic list of canons attributed to the Synod of Nicaea (325) includes a canon, numbered 53, which specifically orders that “marriages with infidels should be avoided.”¹¹ The 10th canon of the Synod of Laodicea in 343 forbids members of the Church to marry their children to heretics.¹² The same council decreed (canon 31) that “it is not lawful to make marriages with all sorts of heretics, nor to give our sons and daughters to them; but rather to take of them, if they promise to become Christians.” Marriage with heretics was forbidden because of fear that they would teach the Orthodox their own errors, and lead them to convert to their beliefs.¹³ The 21st (29th) canon of the Synod in Carthage (394) decreed that the children of clergymen (deacons, priests, bishops) should not be allowed to marry women who are heretics or pagans.

¹⁰Clement of Alexandria, *Stromateis*, 2.23.

¹¹In Philip Schaff and H. Wace, *The Seven Ecumenical Councils*, Series A. Select Library of Nicene and Post-Nicene Fathers, Second Series, vol. 14 (Grand Rapids, MI, 1956) 48.

¹²*Ibid.*, 129.

¹³*Ibid.*, 149.

More than rules of local councils, the canons of ecumenical councils have been more binding. The 14th canon of the Synod in Chalcedon condemned marriage "to a heretic, or a Jew, or a pagan, unless the person marrying the Orthodox shall promise to come over to the Orthodox faith."¹⁴

The 72nd canon of the Synod in Trullo (692) is equally clear and more elaborate in its condemnation of marriages between orthodox believers and heretics. If such a marriage has been contracted willingly, the orthodox spouse is cut off from the body of the Church, and the marriage is declared null. However, if two unbelievers have contracted lawful marriage between themselves and in the course of time one chooses to become an Orthodox Christian willing to preserve the marriage with an unbelieving spouse, the marriage remains valid. The canon does not advocate separation on account of St. Paul's teaching that "the unbelieving husband is sanctified by his wife, and the unbelieving wife by her husband."¹⁵ This canon indicates that paganism was still alive in the last quarter of the 7th century, and a threat to Christian teachings.

With the subjugation of millions of Orthodox Christians under Islamic rule after the seventh century, mixed marriages between Orthodox Christians and Muslims became an additional problem. Even though Islam, too, advocates endogamous marriage between fellow Muslims, marriage between Christians and Muslims was not an exceptional phenomenon. For example Theodore Balsamon, Patriarch of Antioch, writes that the Orthodox Georgians were not disturbed that their daughters married Muslims. And John Zonaras commenting on Photios *nomocanon* writes: "I myself know that the Iberians (Georgians) who have accepted all from us give their daughters in marriage to Agarenes (Muslims). I wonder why the bishops, who know the Church canons, do not prevent such marriages."¹⁶

During the Ottoman period it was not unusual for one spouse to convert to Islam and the other to remain faithful to Orthodoxy-mixed marriages of Muslim men and Orthodox women whether in Syria, Asia Minor, or Cyprus were not uncommon. Some marriages were contracted with the permission of ecclesiastical authority. For example, a document of the 16th century relates that Maria married Bayram bn Abdullah with the permission of her

¹⁴Ibid., 278.

¹⁵Ibid., 397.

¹⁶A. Rhallis and M. Potles, *Syntagma ton theion kai Hieron Kanonon*, vol. 1 (Athens, 1852) 271-272.

father Papa Toma of Hagia YOLOFI of Lefkosia.¹⁷ However, the marriage of a Christian man with a Muslim woman was impossible. The penalty was death.

Mixed marriages between Orthodox Christians and Latin Catholics became more frequent after the Fourth Crusade. Following the barbarous 4th Crusade in 1204, several Western Kingdoms and principalities were established in the Greek Orthodox world such as those of the Franks, Venetians and Genoese. Whether for religious reasons or cultural and ethnic considerations, the Church continued to condemn mixed marriages even though theological opinion was never clear whether the Latins were heretics or schismatics.

Many mixed marriages between Eastern and Western Christians, especially among members of the aristocratic and royal families, between the 13th and 18th centuries can be fully documented. Both churches were inconsistent in their attitude toward mixed marriage. The Orthodox sometimes denounced the Latins as heretics and at other times they considered them schismatics. The Roman Catholics were just as contradictory. There were Orthodox Christians in the last centuries of Byzantium who believed that through inter-marriage with Western Christians they would be able to recover Constantinople and the whole Byzantine Empire. Others, however, were less optimistic about the Christian West coming to their assistance and afraid of Roman Catholic domination.

As late as the second half of the 19th century, the Ecumenical Patriarchate was caustically against mixed marriages. For example, the Holy Synod of the Patriarchate decreed in 1869 that mixed marriages were not allowed and that the validity of those already contracted was to be denied. Nevertheless, ten years later, the Patriarchate, facing an inescapable reality, declared that in order to avoid painful consequences, the Church would exercise leniency, and forgiveness and would tolerate the blessing of mixed marriages.¹⁸

To the present day, not only canons but even civil law in more homogeneous Orthodox countries like Greece forbid a mixed marriage between a Greek citizen of any Christian faith, not only Orthodox, with a member of

¹⁷Donald C. Jennings, *Christians and Muslims in Ottoman Cyprus and the Mediterranean World, 1571-1640* (New York and London, 1993) 29.

¹⁸For references and relevant bibliography see my book, *Marriage, Sexuality and Celibacy: A Greek Orthodox Perspective* (Minneapolis, MN, 1974) 57

another religion. And a marriage between a Greek Orthodox and a non-Orthodox Christian must be solemnized according to the Greek Orthodox *typikon*.

But is it fear that the Orthodox spouse might deny the faith and convert to some other creed if married to a non-Orthodox Christian, or the perception that marriage is a state of holiness in which the non-Orthodox has no place, that has made the Church so uncompromisingly against mixed marriages? Is not a mixed marriage also a means by which the Church may gain new members to the faith? A threat or a blessing in disguise?

Not with standing official canons condemning mixed marriages, it seems that throughout the centuries, including the Byzantine era, in which the Church was a dominant institution, mixed marriages were unavoidable. Whether there were nominal Christians, or because eros was a more powerful of motive than church canons, evidence indicates that Orthodox Christians married non-Christians as well as heretics and schismatics. Some ecclesiastical jurisdictions, bishops in their diocese in particular, exercised *oikonomia* and proved more lenient in granting permission for such a marriage than others.

To be sure, the religious attitude toward mixed marriage and the theological view of who is and who is not a heretic or a schismatic has changed. We no longer live in Justinian's Christian *Oecumene* and most people today do not subscribe to the principle of unity in uniformity. Pluralism is the motto of the day because the macrocosm has been reduced into a microcosm. With more than half of all marriages among the Orthodox in the United States being mixed marriages, with mixed marriages among Orthodox Christians and Muslims in the Near East, Orthodox and atheists (pagans) in Russia and elsewhere, how can we faithfully apply the canons of Laodicea, Carthage, Chalcedon, and Constantinople?

Canons were measures and rules issued to meet circumstantial and local needs, and whether or not they were divinely inspired remains to the present day a controversial question. Even though the Byzantine Church was a unified organization, it is true that there were different attitudes toward canon law, divergent opinions and the Church was an energetic and evolving organism—never a monolithic and static organization. The Russian and other Orthodox Churches in Europe and the Near East do not refuse the Sacraments to an Orthodox spouse married to a non-Orthodox, even to a non-Christian, as we do in the United States, even though here too, there is much inconsistency. What should the universal Orthodox

Church do now?

The question that has preoccupied my mind is why there are so many mixed marriages among the Orthodox Christians in America? Instead of a decrease, there is a slow progressive increase of both intra-faith and inter-religious marriages. Does this phenomenon indicate that the traditional Greek Orthodox family is failing and its young people look elsewhere for spouses? Is the well-known strong protective and paternalistic attitude of Greek Orthodox parents pushing their sons and daughters away from their home? Or is it that our people know little and appreciate less the theology of marriage?

College education is a priority for most Greek Orthodox families, but it is exactly among college-educated people that the Church has lost ground. There is little doubt that the Church has lost many of our intellectuals and professional people through their intra-Christian and inter-religious marriages. Most of them prefer a cultural-ethnic than a religious identification. Yet there is no need to lose these people because they have contracted marriage outside the Church. There is a need for more *oikonomia* and adoption of rubrics that would allow many to return back home. But this is the responsibility of the hierarchy, of a pan-Orthodox decision and not the individual priest.

As the Church stands now, no solemnization of a marriage between a Greek Orthodox and a non-Christian is possible. It is my opinion that the Church should act and allow the blessing of such a marriage provided the Orthodox member wants it and the non-Christian has no objection to such a blessing. The practice of the early Church, which believed that the unbeliever is sanctified through his/her union with the believer, should come back in to practice.

Mixed marriage is a thorny problem and its solution requires serious and divinely inspired deliberations. It is high time for all Eastern Orthodox Churches to study this issue seriously, reflect on the conditions we live in, and reach mature, realistic and responsible decisions. Deliberations on such a sensitive issue require the participation and wisdom of married priests with many years of pastoral experience.

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Pastoral Response to Intra-Christian Marriages: An Orthodox Perspective

NICHOLAS KROMMYDAS

My task is to offer some pastoral perspectives and thoughts on Intra-Christian Marriages. In order to be able to offer such a perspective, I believe it is important to establish two things. First what the Orthodox Church understands by the use of the word “pastoral” in referring to service and ministry in Christ’s name to the faithful. Second, how the Orthodox Church understands and views marriage. At the end of this discussion can then some perspectives and thoughts about pastoral care towards intra-Christian marriages be made.

WHAT DO WE MEAN BY THE WORD PASTORAL?

The word pastoral expresses a unique type of care and intervention on the part of the Church towards the faithful. The metaphor of shepherd and pastor that appears in both the Old Testament and the New Testament is well known to us. Christ is described as the Good Shepherd and those who serve in His vineyard and offer service in His name are likewise called to be co-shepherds and co-pastors attending and serving the needs of the flock as He would. In the Old Testament, Isaiah refers to the Lord as a pastor who “will feed his flock like a shepherd.” (Is. 40:11) This symbol and metaphor of “shepherd” continues in the New Testament. It is most effectively used by John in his Gospel to let us know of the intimate connection that exists between Christ’s unique relationship and bond as between shepherd and sheep.

While a metaphor may help give us insight as to the identity, function, task and even work of pastor and shepherd of Christ’s “little flock,” Christ

is not just another metaphor or symbol for pastor. He is our Savior. He is the Son of God. He is the Truth, the Way and Life. We are not there as a unique community, flock and family, as Fr. Florovsky has said, because we believe and walk in His commandments alone "but also because the Church is a community of those who abide and dwell in Him, and in whom He Himself is abiding and dwelling by the Spirit."¹

It is necessary to articulate and to place the word "pastoral" in this context because it defines the heart and task of Orthodox pastoral care as ministry to Christ's flock and His Church. This I believe is true for every aspect of ministry including our response to intra-Christian marriages. Yet, we need to be aware that pastoral care responses are not monolithic nor are they simple. Situations and persons are complex.

We are to be prepared as Christ to go beyond expected and existing boundaries for love knows no bounds, no barriers, no limitations, no restrictions when it comes to the object of the beloved, i.e. the one who is estranged and separated, lost and defeated, wounded and cast out. The image of the Good Shepherd leaving the ninety-nine seeking the lost vividly illustrates such concern and shows love and empathy for the "one." The father of the prodigal, vigilant, patient and forgiving, awaits his son and is overjoyed at his return. The woman of Samaria, an outsider and unbeliever, ignorant of who she is speaking to, nevertheless, receives living water from the Shepherd. He who came to offer drink to those of the flock of Israel yet listened and took interest in her.

I note these few examples of care and compassion from Christ's ministry in order to make the point, stated in the beginning, that pastoral care as a response is dynamic rather than static. Christ as shepherd responded to human needs and situations in ways that often were remarkably different than the norm and that often brought Him into conflict with the authorities. Yet, unconditional love for persons and empathy for their plight do not reduce His effectiveness nor the purpose or reason for which He came but rather hasten the Kingdom and brings those He touches directly to it.

MARRIAGE: AN ORTHODOX PERSPECTIVE

The institution of marriage has existed in societies and in the culture of peoples for thousands of years. During this time it has taken on many forms reflecting the norms, understandings and values of people of many lands

¹ G. Florovsky, *The Collected Works i* (Cambridge, 1972) 60.

and creeds. Of importance to us is the meaning of Christian marriage in general and Orthodox Christian marriage in particular.

Many of our Christian ideals and customs about marriage come from the Old Testament and continued to be developed during New Testament times and throughout the life of the Church. In broad strokes, we may say that Christian marriages are called to be more than relationships born out of individual and communal circumstances and needs. Christian marriages are to be understood in light of the kingdom ushered in by Christ through the Holy Spirit. This does not mean suppressing or denying the reality that marriages also take place within the context of this world, between persons who are citizens of countries and groups and belonging to specific human families. On the contrary, Christianity and especially Orthodox Christianity, has never denied this fact nor has been closed to the reality that human beings have material needs and are to exercise and take responsibility in the world and in the society in which they live.

Yet, the reality of the Kingdom that Jesus speaks of and the New Testament writes and that we profess calls upon us to recognize that we are a "new creation" within His Kingdom and are made in God's "image and likeness." We are no longer limited by human potential and our own creativity but are set free because our relationship with and in Christ accesses all the "divine" possibilities of the dynamic "Good" that God is and that we are invited to become. The Orthodox Church includes marriage as a sacrament and mystery. When persons have experienced this mystery they are not only united to one another but also become "one body" and "one flesh" with and in Christ. As participants in the sacraments we discover who we truly are and acknowledge a relationship with God that also allows us to grow and to be present to one another in service and love.

Father John Meyendorff in speaking about marriage differentiated between marriage as "sacrament" and marriage as "ideal." He says that when speaking of marriage as sacrament we need to acknowledge the conflict with the practical and "fallen" humanity of this world. On the one hand, marriage as a secular human institution may be an unattainable ideal that we never reach. Marriage as a sacrament, on the other hand, is quite another story because it is, in his words "an experience where man is not involved alone...but humanity participates in the higher reality of the Spirit...without, however, ceasing to be fully humanity." He concludes "a

² John Meyendorff, *Marriage: An Orthodox Perspective* (Crestwood, NY, 1975) p. 21.

sacrament is a "passage" to true life; it is man's salvation. It is an open door into true, unadulterated humanity."²

INTRA-CHRISTIAN MARRIAGES WITHIN THE ORTHODOX CHURCH

In light of what the Church teaches, understands and believes about marriage, mixed or intra-Christian marriages pose a problem for the Church and the persons involved. Marriages of this type have not in the past been, nor are they presently, encouraged. The reason for the Church's stand is based on the premise that the scriptural, theological, and sacramental aspects, so important in building the bonds of mutual love in marriage leading to salvation, are weakened. The absence of common elements of worship and involvement in one faith; basic ideas, purposes and motivations born out of ecclesial and traditional pre-understandings and an unknown spiritual heritage for the children yet to be born into these families are some of the pastoral concerns that the Church has for these marriages.

Having said the above, we must also state the current realities of intra-Christian marriages within the Greek Orthodox Archdiocese. Statistics have shown that bicultural and/or intra-Christian marriages have grown. The percentages have steadily increased whereby they run somewhere between 75% to 80% in many of our dioceses. For some Greek Orthodox this means that not only a bi-cultural adjustment but an intra-faith adjustment has to be made. The marriage of such persons demands that either person join the other partner's culture and faith or both decide to remain within their respective cultures and faiths. Obviously these decisions are filled with anxiety for many couples and create pastoral challenges for the Church and Her priests who struggle to minister to these marriages.

Marriages between Orthodox and other baptized Christians have been allowed in the Orthodox Church for some time. In our case here in America as elsewhere, it is out of compassion and understanding of living in a pluralistic society and given that Orthodox represent a small minority of the fabric of this society that the Church has come to understand and accept this as a reality. It is safe to say that we will see an ever increasing number of these marriages in the future. It would, however, be both naive and foolish to lament and conclude that all such marriages will not be happy unions or the children conceived from them will not produce fulfilled families. I believe we all know of intra-Christian or mixed marriages that are healthier than marriages between two "nominal" Orthodox Christians. The latter

may externally fulfill the formality of being of one faith yet remain distant from the true goal of Christian marriage, responsibility and commitment in emulating Christ and the Church.

A PASTORAL RESPONSE AND ATTITUDE TOWARDS INTRA-CHRISTIAN MARRIAGES

A pastoral response for couples contemplating intra-Christian marriage in the Orthodox Church must be balanced between the teaching of what the Orthodox faith, in its theology and practice, believes about marriage and the acceptance, affirmation and love of the persons asking for this blessing. Those within the Church and especially pastors must be aware of the difficulties and stresses that couples will face in navigating the deep waters of adjustment, especially today. We must also strive to offer all the possibilities of support and love that exist in the Church to be with them and see them through the good times and bad.

There are no simple solutions or simple answers that will address all of the concerns in the area of intra-Christian marriages. However, pastoral care for those contemplating or already in these unions behoove us to respond in ways that maintain the integrity of what the Lord and His Church teach as well as translating and transmitting these truths in love and in ways that cannot be misunderstood. This is true for all marriages that the Church will bless given the climate of individualism and secularism that permeate our society. In many ways intra-Christian marriages are no different than those between Orthodox for they face many of the same challenges and pressures of adjustment in marriage. It is not realistic to expect and find the same intensity of agreement even on matters of faith and culture between two Orthodox persons. Given that their Orthodox parents possibly come from different generations, and have raised, reared and instilled in their children different ways of being, traditions and values, presents to the Church a similar challenge as to how to support such marriages as any others and implant the true Orthodox meaning of marriage.

THE BEGINNING OF MARRIAGE: A TEACHABLE MOMENT

The time of courtship and marriage is a time of growth and expectations. It is filled with potential. It is a crucial time in the life of persons pregnant with opportunity, a teachable and unique time in the lives of those asking the Church to bless their marriage. It is filled with hope especially for the word of God to take hold in the life of persons, to teach, inspire and transform, the two into "one."

A pastoral response to marriage ought to begin early in the educational

program of our Church. It is a seed of hope that should be constantly watered in the Church through religious education, sermons, adult study classes and support groups that seek to emphasize the connection between the mystery of Christ and His Church.

All marriages need to be strengthened consistently within the parish in ways and programs that address the stresses and difficulties arising out of a secular society. The clear message of the Church is that it will always be on the side of marriage, preserving its integrity and sanctity, and that also means acceptance of the Orthodox and the non-Orthodox partner alike. This may not, however, be a full sacramental acceptance on the part of the Church of the non-Orthodox person, due to obvious differences of faith.

Acceptance, however, can be expressed in other ways including concern for both individuals who are involved in a union that the Church did indeed bless. What message of support or love can be felt in a marriage (even for the Orthodox partner) if, after the Church unites a couple into one flesh, then, only addresses the needs of one of the persons and not the other? As a community of believers, the Body of Christ, the Church ought to be and act as the support system for all marriages. Most of the time pastors and parishes that strive to be the caring communities that God intended them to be through patience will attract even the most distant of marriages from God and the Church.

OFFERING PASTORAL CARE TO ALL MARRIAGES WITHIN THE PARISH

Three activities define the work of pastoral care in teaching, implementing and living Christian marriage within the parish. These are: *kerygma*, *diaconia* and *koinonia*.

Kerygma will seek to teach and proclaim the truths of the Orthodox faith concerning Christian marriage. These include marriage as sacrament; marriage as God's plan for a fulfilled life; marriage as mutual respect and love (fidelity) as expressed in the relationship of Christ with the Church.

An ongoing pastoral task and goal is constantly to teach and proclaim the true meaning of marriage within every area of the Church, from pulpit to home, as the standard for every Christian family.

Diakonia will seek to make Christian marriages, especially intra-Christian ones, stronger and closer to the Church. In service and love the emphasis of diakonia is to work on practical ways that strengthen all marriages. This includes implementing, for instance programs, support groups and workshops. The priest as shepherd, with the help of the local parish, strives to

address the many needs that today's marriages face. The availability of these programs especially to intra-Christian couples will include them in the life of the Church and will maintain and support them in healthy ways.

Koinonia in its fullness means the sacramental community comprising the Body of Christ. Although this may not be fully possible yet for intra-Christian marriages there are opportunities for fellowship and friendships to develop within the parish. These relationships may at first be casual ones but in time they can take shape around the spiritual meaning of what it means to be in community. Intra-Christian marriages need to belong and to understand the importance of being in relationship with others that allows them to grow also in their marriage. Christian ways of living teach us about preserving our marriages, thereby strengthening both family and community.

I believe, in essence, that the difficulty and problem for the Church with respect to intra-Christian marriages is one of communication and understanding. I have rarely met couples that, with effort and work, have not discovered that at a deeper level their true hopes and needs are exactly those that Christ and the Church describe. As in all of our work, shepherds and pastors need to relate creatively the Orthodox understanding and message to the situation and reality of where our people are. We need first to hear what is going on in their lives, to build a relationship with them before we venture to apply or suggest what we know to be the answer.

In the area of intra-Christian marriages pastoral care means getting to know couples first hand. Here are some of the significant areas that need to be explored and need to be kept in mind as we meet with them. Why are they asking the Church to bless their marriage? What is their understanding of faith and their commitment to God's plan within the faith? What is it that the couple will struggle with and are obvious stumbling blocks to their growth? What are their dreams and hopes both now and for the future? What "gods" are they serving? What are their intentions about children and what faith and values will they apply in raising them?

These are but a few of the areas as we listen attentively that will tell us many things about the disposition of the couple especially in matters of faith. Pastoral interventions and care on this level will direct us how to approach the couple in the future. By cultivating the relationship, being patient with their inconsistencies, caring enough to listen even to the secular-laden concepts and clichés, we are building effective pathways that show our love on behalf of the Church that is there to lead them to Christ.

Perhaps it is simplistic to think this way but heavy-laden individualistic and mythic expectations planted in the hearts of our people about marriage are like the tares or weeds that choke the true message of Christian marriage and must first be removed. It is very much like all pastoral work and effort exercised by the Church. Through patience and love we hear and see a new story unfolding. By listening, guiding and sharing together we make available Christ's story to them in new ways that express His love for them.

Often their story is told in ordinary words, from a particular cultural and biased view with nuances and in a language far from the one we would prefer to hear. Yet to listen fully to the stories of the couples that come to us opens up the way to encounter the One story, the One truth and the One way and life that all other stories take their meaning and become more real, more hopeful. This dialogue begins by intimate and personal pastoral initiative born in love, not by mandate and culminates in building community, celebration and affirmation especially in the sacraments.

CONCLUSION

A pastoral response to intra-Christian marriages must rely heavily on the priest as shepherd and pastor of the flock. It is not so much a program to be instituted and followed nor a change in existing canons or ecclesiology but a new pastoral and compassionate spirit. Programs are only as successful as those who believe and establish them and it is difficult to train and convince many that they will see results as their authors claim. In the area of ecclesial change, changes are inevitable in this regard and will help in the pastoral work that lies ahead for the Church. It is unlikely however that these will come quickly enough and when they do the question remains with what zeal and measure of compassion will these changes be implemented and what impact will they have on the parish level.

In summary, any Orthodox pastoral response to intra-Christian marriage must balance authentic pastoral care that is rooted in the theology, revelation and teaching of the Church and in translating this message within the context of human needs in our world. Priests as the shepherds of the flock represent the best possible opportunity for both doing and training others to do the important work of building and strengthening christian marriage within the parish.

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Psychological Stressors in Mixed Marriages

JOHN T. CHIRBAN

The topic of mixed marriages demonstrates well how *praxis* theology affects *theoria* theology. The question is whether or not this is a suitable situation. Some advocate for mixed marriages on the basis of ecumenical theology—the “experience of faith—living in the Church”¹ because the various churches involved are in effect united *by the people* through matrimony. Others, however, argue that mixed marriages result in the demise of faith, as evidenced by those mixed marriages where any religious traditions cease to be practiced at all.

On closer examination, we find the subject of mixed marriage is very difficult to sort out because we are addressing complex and multiple variables with a general label (“mixed marriages”) that inadequately clarifies needed distinctions. For example, when using the expression mixed marriages, we may not distinguish the particular faiths involved, such as the difference between an Orthodox Christian marrying a Roman Catholic and an Orthodox Christian marrying a Baptist. In addition, a person may attribute the problem of a mixed marriage to faith when this religious issue primarily veils concerns psychological interests—for example, a husband wanting his wife to be chrismated in *his* faith not because of his religious convictions but because of a need to dominate.²

Given the complex and wide range of forces inherent in this topic I will limit my comments in this brief paper to address: 1) the stressors on exogamy (*psychosocial dimensions*); 2) identity in mixed marriages (*psychoreligious dimensions*); and 3) faith, development, and ecumenical marriages (*psychospiritual dimensions*). The section on stressors results

¹ Don Thompson, “Baptism into the Whole People of God: The Pastoral Care of Interchurch Families.” *One in Christ*, Volume 24: 3 (1988): 237-342.

² See John Papajohn, “Contrasts in Greek and American Values” in *Family Transactions*, edited by John Papajohn and John Pierce (New York: Josey-Bass, 1975) 179-205.

from research in the fields of psychology, sociology, and religion. The section on identity draws upon both psychological and Orthodox theological sources that relate to identity formation in marriage. The section on faith, development, and ecumenism is based upon my own research in spiritual development in conjunction with studies in ecumenical theology.

I. STRESSORS ON EXOGAMY

Stressors are forces that create imbalance. The psychosocial perspective is concerned with the individual's adaptation in a given situation. By clarifying the stressors in mixed marriages, we may understand pressures encountered by the couple as a result of exogamy. To appreciate the impact of these stressors we must consider both the unique demands of mixed marriages and the individuals' subjective experiences and perceptions of mixed marriage. In identifying the following stressors on exogamy, I am considering mixed marriages where the faith traditions of the individual partners is generally taken seriously. For both partners faith holds intrinsic value as a source of identity and meaning.

A. Religious Differences

Resolving any differences in a marriage requires work. The greater the number of differences a couple encounters concerning such intimate issues as faith, belief, ritual, and tradition, the more stressors a couple endures. Because of the widely held belief that interreligious marriages generate stress and do not tend to be as successful as homogenous marriages, research shows that one partner will often switch his or her faith to that of the other prior to marriage or after marriage.³

B. Different Values

Although a couple's desire as they enter into a mixed marriage may include mutual respect of each other's differences, the actual living of different values and beliefs often leads to separateness concerning the vision and goals of the partners. With interreligious marriages, consensus on various ethical and moral issues may be unattainable because of fundamental theological differences. Divergent positions may inform different perspectives about life that leads the partners in a mixed marriage into different

³ Norval D. Glenn, "Interreligious Marriage in the United States: Patterns and Recent Trends," *Journal of Marriage and the Family* 44 (1982) 555-566.

directions concerning attitudes on central issues such as sexuality, spiritual goals, and death—not to mention specific concerns such as contraception, abortion, and gender differences.

C. Family Ties

Differences of faith often create hostility in families because of the psychological lines that get drawn that foster a “them” and “us” mentality and because differences often limit the degree to which individuals may intimately share. Research points out that heterogeneity implies less consensus and that out of fear of the unknown or genuine concerns about the distance generated by religious and spiritual differences, religious similarity results in “more integrated social network(s) of relatives, friends, and religious advisors.”⁴

D. Religious Development

Although it is recognized that couples in mixed marriages “may hold common values that transcend differences in background, religion, or race,”⁵ the couple is often without a religious home. Because there are two rather than one faith tradition(s), the couple and their offspring are unable to share in a community of faith that nurtures their religious growth and development.

E. Child Rearing

The decision of which faith tradition the child will be nurtured in is not the only difficulty in mixed marriages, there is also continued stress on the parents when a child does not share the faith of both of them. When a child follows a faith different from one of the parents, it inevitably creates a psychological impact on him or her that leads to confusion and difficulty of identifying with both the religion and the parent with whom he or she is not following.

Measuring religious development and expression is problematic, so the lamentably careful research in this area has permitted interpretations both

⁴Tim B. Heaton and Edith L. Pratt, “The Effects of Religious Homogamy on Marital Satisfaction and Stability,” *Journal of Family Issues* 11:2 (June, 1990) 191-192.

⁵Mary Ann Lamanna and Agnes Riedmann, *Marriages and Families - Making Choices and Facing Changes* (Belmont, MA: Wordsworth Publishing Co., 1994) 203.

from those who advocate and disavow mixed marriages. Nonetheless, church attendance is often used as a variable to assess religiosity, even though it is limited as an adequate measure of faith. Tim Heaten and Edith Pratt found that homogeneously married partners go to church more often and at similar rates and that denominationally homogeneous marriages enjoy higher marital satisfaction and stability (which correlates with church attendance) than heterogeneous marriages.⁶

However, in a study that drew upon data from the National Opinion Research Center, which compared heterogamous and homogamous marriages in the Roman Catholic Church, it was confirmed that heterogamy is not related to marital satisfaction, although the heterogamous went to Mass less frequently than homogamous couples.⁷

The scant research on the impact of stressors of exogamy has not resulted in conclusive evidence yet studies identify reasons of how differences in religious doctrine and ritual can affect marital success.⁸ Others remain more idealistic in their interpretation of the impact of psychosocial factors on mixed marriages and conclude, as does Norval Glenn:

As interreligious marriages become more frequent and socially accepted, any negative effects they have on marital quality are likely to diminish. For instance, some of the problems encountered by interreligious couples evidently have grown out of disapproval of family and friends, and as such disapproval (diminishes), so should some of the disruptive influences of interreligious marriages.⁹

Psychosocial strains in mixed marriages stem from the identified five stressors: religious differences, different values, family ties, religious development, and child rearing. Moreover, however, I think that the intensity and impact of these factors are more fundamentally affected by the individual's understanding of marriage.

Being married is not necessarily synonymous with marital happiness or fulfillment. The Church is not concerned that people simply marry, but it is concerned with the couple's quality of life and particular objectives experienced in the marriage. So, the argument of researchers that suggests that

⁶ Heaten and Pratt, 1990.

⁷ Constance L. Shehan, E. Wilbur Bock, and Gary R. Lee, "Religious Heterogamy, Religiosity and Marital Happiness: The Case of Catholics," *Journal of Marriage and the Family* 52 (February, 1990) 73.

⁸ Suzanne T. Ortega, Hugh P. Whitt, and J. Allen Williams, "Religious Homogamy and Marital Happiness," *Journal of Family Issues* 9:2 (June 1988) 224-239.

⁹ Glenn, 564.

¹⁰ Lamanna and Riedmann, 202-203.

marital stability is threatened in the absence of shared values and interests¹⁰ is more compelling than the arguments, from the sociological perspective, that shared support networks of parents, relatives, and friends, can substitute for or are equally important in a mixed marriage or that those who enter heterogamous marriages may be less conventional in their behavior and may use unconventional ways of handling problems arising from mixed marriages.

As a result of the stressors of mixed marriages, I submit that from the perspective of Orthodox Christianity and psychology one's basic identity as a person and one's experience in one's family is at issue in a mixed marriage.

II. IDENTITY IN MIXED MARRIAGES

One of the greatest problems associated with mixed marriages is the impact they have upon the psychological and spiritual identities of the persons involved. Mixed marriages are the result most often to perceived psychosocial needs, not spiritual needs, that is, they stem from the desire of a couple to be together regardless of the fact that they do not share a common faith. As a result of mixed marriage, paradoxically, their abilities to meet psychosocial needs, much less spiritual needs, are often compromised.

Over the centuries the Church has been generally opposed to mixed marriages. When permitted, the Church has sanctioned mixed marriages out of *economia*, accommodation. Mixed marriage is, therefore, foreign to the spirit of Orthodox teachings concerning marriage, described by St. John Chrysostom as "the union of man and woman" that creates a "little church"¹¹ (obviously presupposing the shared faith of the couple). Paul Evdokimov elaborated on Chrysostom's view about marriage by comparing the union of man and woman in marriage to the union of the Persons in the Trinity.¹² From a theological perspective, this union of the couple with God is a mystery, based upon how God and the human person are understood. Such concepts about the nature of the relationship of the Trinity and the nature of person are not unrelated to what separates Christian churches. Christian denominations are separated not only by polity but usually by their fundamental, different concepts of Trinitarian theology. Although the

¹¹ William Basil Zion, *Eros and Transformation: Sexuality and Marriage - An Eastern Orthodox Perspective* (Lanham, MD: University Press of America, 1992) 2.

¹² *Ibid.*, 149.

current requirement for marriage in the Church is that both spouses only be baptized according to the Trinitarian formulation, thereby permitting mixed marriage, if one takes the Orthodox theology of marriage seriously, that views man and woman united as the Trinity, mixed marriage seems inconsistent with the essence of the theology of marriage.

What then is the impact of marriage or mixed marriage upon one's identity? If the couple is attuned to the Orthodox theology of marriage, they are partners in an evolving union—a "oneness" that results in the body, mind, and soul, being informed and nurtured wholistically by their shared faith. From the Church's perspective, achieving oneness in God is the purpose of marriage. Looking at marriage from this vantage point, it is difficult to understand how a union could exist that is not based upon a shared vision of faith and spirituality. The theological view of marriage sets a tone for maintaining the community of faith, in general, and for nurturing the day to day life and movement toward achieving union of the couple, in particular.

In modern society, however, the identity of the faithful is not often guided by the theological and spiritual resources of the tradition. In fact, couples frequently perceive the sacrament of marriage as little more than a quaint, "moving" ceremony that has little relationship to their lives. In granting mixed marriages, the Church has accommodated the fact that a very large number of people do not take their faith seriously or at least not seriously enough to affect marital choices so that they may draw upon the faith as the unifying resource (this is true of both homogamous and heterogamous marriages).

From a psychoreligious understanding of how marriage affects the development of identity formation (that is, one's definition of self, the identification of one's spiritual goals, and one's understanding of how "two become one"), mixed marriages creates identity confusion. A mixed marriage, from this perspective, would not bring about the unity of a man and woman, as the Church anticipates, unless either the definition of faith is so wide that one does not take seriously the theological differences confirmed through the different creeds of the two partners or the mixed marriage is simply ritualistic—and the couple is knowingly or unknowingly cut off from the concept of oneness.

The "flexibility" of Orthodoxy in sanctioning mixed marriage suggests a timely responsiveness to sociological changes (where twenty years ago

some 40% of Orthodox marriages in the Greek Orthodox Archdiocese were mixed, today some 70% of Orthodox marriages are mixed)¹³ but a responsiveness to the theology of marriage that is questionable. Granting mixed marriages may result in welcoming a large membership into the church body, but can we really call such marriages Orthodox?

Choosing partners from another faith is not so surprising given how proximity affects marital choices (as Orthodox Christians in modern society may not live closely together) and how little the tenets and teachings of faith direct one's choices in modern society. Today even Church officials have become self conscious and ask: How could a priest require that a couple not marry because they are of different faiths? It appears that Church authorities view this suggestion as outmoded for our times. Yet from the psychoreligious perspective much is sacrificed by both the couple and the Church by engaging in or countenancing mixed marriages. Because most couples do not understand the unifying and guiding role of Christ in their lives, the Church has a fundamental responsibility to educate the community about the nature of marriage and the role of Christ in it.

From the perspective of faith, the argument for not permitting mixed marriages is compelling. I think that it is one matter to offer baptism out of *economia*, in an emergency, to save a soul but quite another matter to confirm marriages as if they are emergencies, particularly given the fact that by sanctioning such marriages the Church becomes an instrument by which a host of stressors are conferred upon a couple. Treating a mixed marriage as an emergency sets this new life union on a tangential course from its beginning because the couple, by definition, does not or cannot share the same faith. How can an Orthodox Christian in a mixed marriage seek unity with his spouse if, *a priori*, they confess different creeds? Because the Orthodox Church grants mixed marriage, it gives an implicit message that the essential goals of Orthodoxy, at least those affected by a marriage, are probably not that important. And so one may ask, what kind of a faith is it

¹³ Marriage Statistics of the Greek Orthodox Archdiocese in the *1994 Greek Orthodox Archdiocese Yearbook* (New York: Greek Orthodox Archdiocese Press, 1994): 95.

	Marriages		Divorces	
	<u>Total</u>	<u>Mixed</u>	<u>Total</u>	<u>Mixed</u>
1976	4738	2201 (46%)	551	201
1980	4669	2660 (57%)	763	306
1985	5587	3387 (61%)	816	456
1990	5956	3769 (63%)	740	338
1991	5711	3520 (62%)	740	331
1992	5452	3530 (65%)	764	417

where I can hold beliefs about Christ and salvation and the purpose of my life that differ from those of my spouse with whom I am directed "to become one?" This dichotomy creates a psychological split within the person, resulting in evident strain on a mixed marriage.

In contrast to this conflict between *theoria* and *praxis*, it is recognized that individuals do not make marital decisions based fully on faith. Yet it is conjectured by some that the "spirit of love" and a mystical vision of marriage may transcend the limitations of theological formulation and that the union of a couple is created through their shared love (however that is defined). A spin is given to the *theoria* of marriage such that the *praxis* of mixed marriage is no longer framed as problematic but, in fact, elevated to a "higher *theoria*" of marriage.

This virtuous level of functioning as a rationale for mixed marriage is not only advocated by the hopeful couple but by ecumenists who promote mixed marriages based on love in addition to the elimination of various theological distinctions and other ecclesiastical differences to achieve this end. I have concerns about how love is defined in this context and do not concur with this ecumenical agenda.

The appeal to love that stems from such views does not recognize the different perceptions of the partners concerning love. It is often guided by idealized goals that are uninformed by the critical dimensions of human growth. Without an understanding of human development and spiritual growth some suggest that all people function at the same level of growth—and, by extension, at the same level of understanding of love. As it is stated in the Letter to the Hebrews:

You need someone to teach you again the first principles of God's word. You need milk, not solid food; for every one who lives on milk is unskilled in the word of righteousness, for he is a child. But solid food is for the mature, for those who have their faculties trained by practice to distinguish good from evil. (Hebrews 5:12-14 RSV)

To expect that the fragile identities of young married couples, who are often not clear in their basic faith, function at an achieved "experience of pure love" before they are able to receive "solid food" does not give consideration to the processes of psychospiritual development.

III. FAITH, DEVELOPMENT AND ECUMENICAL MARRIAGE

From the spiritual point of view, marriage is the beginning of a new life.

It is an ideal time to initiate the process of growth and unity as a couple. In addition to the literature is spiritual direction, psychological studies have identified stages of human growth that explain aspects of spiritual development. Such work is heuristic for offering insight about ways for deepening a couple's understanding of their psychospiritual development as well as the development of their union. Psychological studies also explain the origins, development, and process of loving experiences. For example, James W. Fowler's paradigm of the development of faith may be instructive in understanding a couple's experiences of specific aspects of faith and love.

Fowler defines "faith" broadly, as a particular way of knowing, valuing, construing, or integrating one's experiences or as a means of relating to one's basic conditions of existence.¹⁴ He proposes a theory of faith development that is based essentially upon empirical research in the structural-developmental tradition of Piaget, Erickson, and Kohlberg. Fowler describes the stages of development in this way (See Appendix I):

Birth

The preconceptual, largely prelinguistic stage in which the infant unconsciously forms a disposition towards its world.

Stage 1:

The fantasy-filled, imitative phase in which the child can be powerfully and permanently influenced by the examples, moods, actions, and language of the visible faith of primal adults.

Stage 2:

The stage in which the person begins to take on for himself or herself the stories, beliefs, and observances that symbolize belonging to his or her community. Beliefs are appropriated with literal interpretations, as are moral rules and attitudes. Symbols are taken as one-dimensional and literal in meaning.

Stage 3:

The person's experience of the world now extends beyond the family. A number of spheres demand attention: family, school, or work, peers, street society and media, and perhaps religion. Faith must provide a coherent orientation in the midst of that more complex and diverse range of involvements. Faith must synthesize values and information; it must provide a unifying basis for identity and outlook.

Stage 4:

The movement from Stage 3 to Stage 4 is particularly critical, for it is in this transition that the late adolescent or adult must begin to take seriously the burden of responsibility for his or her own commitments, life-style, beliefs, and

¹⁴ John T. Chirban, *Human Growth and Faith: Intrinsic and Extrinsic Motivation in Human Development* (Washington, D.C.: University Press of America, 1981) 10-41.

attitudes. When genuine movement toward Stage 1 is under way, the person must face certain unavoidable tensions: individuality versus being defined as one's strongly felt but unexamined feelings versus objectivity and the requirement of critical reflection; self-fulfillment or self-actualization as a primary concern versus service to and being for others; the question of being committed to the relative versus struggle with the possibility of an absolute.

Stage 5:

This stage involves the integration into self and outlook of much that was suppressed or evaded in the interest of Stage 4's self-certainty and conscious cognitive and affective adaptation to reality. This stage develops a "second naïveté" (Ricoeur) in which symbolic power is reunited with conceptual meanings. Here there must also be a new reclaiming and reworking of one's past. There must be an opening to the voices of one's "deeper self." Importantly, this involves a critical recognition of one's social unconscious—the myths, ideal images, and prejudices built deeply into the self-system by virtue of one's nurture within a particular social class, religious tradition, ethnic group, or the like.

Stage 6:

This stage is exceedingly rare. The persons best described by this stage have generated faith compositions in which their felt sense of an Ultimate Environment is inclusive of all being. They become incarnators and actualizers of the spirit of a fulfilled human community.¹⁵

Such research helps us to understand the process of the partners and the couple in their growth in love and faith. This model suggests that young marrieds, the great majority of whom are no more further along in their personal development and understanding of love than Stage 3, are probably not perceiving and living out love at Stages 5 or 6—points that fewer than 95% of adults ever reach. Yet one finds by ecumenical leaders no such distinctions concerning love, implying either that couples have magically achieved a unifying experience of love reflecting Stage 6 or that being faithful or loving is unidimensional, black or white, rather than a process of development and identity formation. Writes Roman Catholic Jesuit Michael Hurley, "*Interchurch marriages are to be encouraged* in so far as they promote the cause of Christian unity"¹⁶ (italics are mine). Yet, how is the quality of such marriages or the identified spiritual end assessed?

Marriage can be an opportunity for embarking upon a process of spiri-

¹⁵ James W. Fowler, "Faith and the Structuring of Meaning," in Christine Brusselman, *Toward Moral and Religious Maturity* (Glenview, IL: Silver Burdett Company, 1980) 68-81.

¹⁶ Michael Hurley, "Interchurch Marriages," *One In Christ* 9:1 (1973) 35.

tual growth. Conversely, assuming that mixed marriage assures a profound encounter of love (that is probably beyond the capacity of a young couple), projects illusory expectations upon a young marriage rather than a genuine and substantive experience. Ecumenists suggest that the couple can or should embody or lead in what the religious institutions have been unsuccessful in achieving—that is “unity.” Is it reasonable to assume that partners who probably do not have a solid grasp of themselves or their faith could transcend their state and achieve such profound experiences of love and unity?

Supportive of mixed marriages because of their ecumenical significance, Hurley states, “Interchurch families can and ought to have a double Church,”¹⁷ without reflecting upon what this means for one’s spiritual growth if one takes the word “faith” seriously. By proposing that “interchurch families may consider themselves as belonging to both Churches, or having dual memberships”¹⁸ such writers invite confusion of beliefs and reductionsim of the espoused traditions.

Ecumenist Don Thompson, who observes that the cart is already before the horse in the ecumenical movement concerning mixed marriages, recommends that these “forerunners of unity”, that is, the spouses of mixed marriages, each be granted full rights and privileges in the other’s faith community.”¹⁹ Similarly, a writer in *Ecumenical Trends* states:

Persons in interdenominational marriages grow spiritually by becoming bi-ecclesiastical, by realizing children who treasure diversity and by sharing the spiritual life of someone who is perceived as being significantly different from themselves.²⁰

Such recommendations do not take theology seriously. Such reasoning misses the practical aspect of theology, relegating theology to an academic discipline, not understanding it as a model for life. Therefore it is recommended that in marriage at least one’s faith (*theoria*) be consistent with one’s practice (*praxis*).

By contrast, a Lutheran ecumenist who is married to a Roman Catholic affirms the experience of being bi-ecclesiastical because this “deepens” his spirituality by deepening his appreciation of the more subtle viewpoints

¹⁷ Hurley, 35.

¹⁸ Hurley, 36.

¹⁹ Thompson, 237-242.

²⁰ Timothy D. Lincoln, “Spiritual Growth in Interdenominational Families,” *Ecumenical Trends* 22 (May 1993) 71-72.

that exist in the Christian community. Yet he argues that his children are Lutherans because he does not believe that a sort of generic Christianity exists or should exist for children of interdenominational families.²¹ Is this not a contradiction? And is not the argument for bi-ecclesiastical marriage merely a rationalization to accommodate marriage regardless of faith?

The meaning of love and unity in arguments that advocate ecumenism through mixed marriages is often undefined, inviting a loose and general definition of spirituality that people are either unprepared to manage or that results in a vague philosophical humanism rather than a life-sustaining process.

Love is the central, unifying theme of a marriage just as it is the spirit of the Church. The challenge for the Orthodox Church is to provide ways to help couples understand and to experience the rich theology of marriage that defines love. Given the spiritual and psychological strains in mixed marriage brought upon by the identified stressors and identity concerns, psychological studies about human development coupled with a serious appreciation of the sacrament of marriage may enhance our abilities to understand and nurture couples in view of the many drives and motives that bring them together. At the same time, the Church needs to evaluate the impact of its decision to sanction mixed marriages in view of the identity and purpose of life it intends for its flock.

When serving on Fowler's research team at Harvard, I struggled with the limitations (particularly the cognitive emphasis) of the structural-development approach for explaining religious experience, commitment, and spiritual development.²² For this reason I investigated the process of spiritual growth that is reported in the lives of Orthodox saints and that characterizes spiritual development in Orthodox Christianity. It is imperative that the Church articulates and facilitates the process of spiritual development and love for Orthodox Christians in modern society for individuals and couples alike been on its Tradition on growth and development. Rather than avoiding the particulars of one's spiritual path, marriage should be an opportunity for participation in the particularities of spiritual growth. The five stages of spiritual growth that I found consistent in the lives of the saints are: 1. image ("the natural state of potentialities"); 2. *metanoia* (a point of consciousness or conversion of oneself to Christ); 3. *apatheia*

²¹ Lincoln, 71.

²² Chirban, 94-95.

(purification or worldly pursuits); 4. *Light* (illumination); and 5. *Theosis* (God-union) (See Appendix II).²³ This path of spiritual development typifies the experiences of saints and is yet to be explored for its applicability in modern society. However, would any of these stages of spiritual growth even be agreeable for a couple in a mixed marriage who may not share an understanding of personhood much less spiritual goods? It may be that articulating the process for recognizing and refining aspects of stage one, the natural state of potentialities would be good place to begin working with couples. Orthodox models that describe stability, direction, and identity for the individual and family unit are essential for marriages. Without a shared religious tradition, a shared spirituality is difficult to establish. Without a shared spirituality, a marriage is denied its heart.

Given the impact upon one's psychospiritual identity, growth, and development, as long as the Church allows mixed marriages, considerable efforts must be established to support mixed marriages to alleviate the stressors that are suffered. At the same time, there is need for serious reexamination of sanctioning mixed marriage.

Recommendations:

1. It is crucial to educate the faithful about marriage and the importance of marriage within the faith during their early years, prior to marriage. Marriage in the United States has been highly secularized with the Church exerting weak influence on the choices of partners for young marrieds and probably weak influence on the couples' understanding about the nature of the marital relationship generally. Although the Orthodox theology of marriage evolved through the centuries rather than through Christ Himself, it offers profound insight into critical aspects of marriage, concerning "oneness," "communication," and "love." In addition to the process of spiritual growth, the theology of marriage offers rich and vital tools for living. It is suggested that were faithful people to understand and experience the power of these "fruits of the Spirit" they would be less inclined to enter a mixed marriage. The Church needs to educate and to nurture committed Christians who are witnesses to its powerful message.

2. The Church needs not only to discuss or to identify a theology of marriage but also to show people how to apply theology, how to communi-

²³ John T. Chirban, "Developmental Stages in Eastern Orthodox Christianity," *Transformations of Consciousness* (Boston: New Science Library, Shambhala, 1986) 285-314.

cate effectively, to become one, to love (in distinction to feeling attraction or feeling romantically). Parental models are critical to one's choices and understanding of relationships, marriage, and the family. Family life serves as the basic model for one's relationship. The resources and insights of psychology, pastoral care, and spirituality should be integrated with the theology of marriage through church programs for the faithful that clarify the practical objectives of a married life.

3. Pre-marital counseling programs should be required of all applicants for marriage in the Orthodox Church. Such sessions should review the psychospiritual issues of marriage and set a tone for this "new beginning." As long as the Church confirms mixed marriages, it is incumbent upon the clergy to assist couples in negotiating how spiritual goals will be met, for both the couple and for their children. If differences or difficulties around such matters emerge, the couple should be dissuaded from holy matrimony rather than encouraged to embark on a nebulous course or in a relationship where the individuals are ill suited for one another.

4. In the event of interfaith marriage, it is important to educate both parties about the complexity that is generated when couples enter into a mixed marriage. For all practical purposes, if couples take their faiths seriously, they embark with a house divided. However, if mixed marriages occur, pastoral provisions need to be offered to support the couple, particularly in dealing with the stressors of exogamy and the couple's religious struggle for spiritual and psychological identity. Without particular support, mixed marriages are likely to be token Orthodox marriages, to encourage hybrid religion, or to be subject to dissolution. It is irresponsible of the Church to confirm mixed marriages without specific pastoral support to address the problems the partners face in such marriages. If offered this ministry, the faithful would not be abandoned.

5. Finally, in view of the high numbers of mixed marriages, regular weekly family programs should be offered to enable families to discuss their concerns about faith and life. Oftentimes the faith is not taken seriously because it is not understood and/or not perceived as relevant or practical. These pastoral efforts are essential for marriages and mixed marriages alike.

In the last analysis marriage offers an opportunity for a couple to work together and discover and experience the spiritual resources that bond their union. The Church must guide and guard this process that elevates marriage as a sacrament of the Church.

Appendix I

FAITH: THE STRUCTURAL-DEVELOPMENTAL APPROACH

A SUMMARY TAXONOMY OF- STRUCTURAL COMPETENCES BY STAGE

<u>STAGES:</u>	<u>FORM OF LOGIC (MODIFIED PIAGET)</u>	<u>FORM OF WORLD COHERENCE</u>	<u>ROLE-TAKING (MOD. SELMAN)</u>	<u>BOUNDS OF SOC- IAL AWARENESS</u>	<u>FORM OF MORAL JUDGMENT*</u>	<u>ROLE OF SYMBOLS</u>
1. Intuitive- Projective	Pre-operational	Episodic	Rudimentary empathy	Family, primal others	Punishment- reward	Magical- Numinous
2. Mythic- Literal	Concrete oper- ational	Narrative- Dramatic	Simple perspective- taking	"Those like us" (in familial, ethnic, racial, class & reli- gious terms)	Instrumental Hedonism	One- dimensional literal
3. Synthetic- Conven- tional	Early Formal operations	Tacit System, symbolic med- iation	Mutual role- taking, (inter- personal)	Conformity to class norms and interests	Interpersonal concord ↓ Law & Order ↓	Multi- dimensional, conventional
4. Individua- tive- Reflexive	Formal opera- tions (Dichotomizing)	Explicit sys- tem, concep- tual mediation	Mutual, with self-selected group or class	Self-aware ad- herence to cho- sen class norms & interests	Reflective relativism or class-biased universalism	Critical translation into ideas
5. Paradoxical- Consolida- tive	Formal opera- tions (Dialectical)	Multi-syste- mic, symbolic and conceptual mediation	Mutual, with groups, classes & traditions other than one's own	Critical aware- ness of and transcendence of class norms & interests	Principled Higher Law (Universal- critical)	Post- critical re- joining of symbolic nuance and ideational content
6. Universal- izing	Formal opera- tions (Synthetic)	Unitive actuality, "One beyond the many"	Mutual, with the common- wealth of being	Trans-class awareness and identification	Loyalty to being (* modified Kohlberg)	Transparency of symbols

Appendix II

SCHEMATIC DRAWING OF SPIRITUAL DEVELOPMENT

APOPHATIC APPROACHES

STAGES	St. Isaac the Syrian	St. Seraphim of Sarov	St. Gregory Palamas	St. John Climacos	St. Maximos	St. Dionysios
V THEOSIS	(3) Perfection	Acquisition of the Holy Spirit	(3) Theosis	Step 30 Likening	(3) Αει Εἶναι Eternal Being	(3) Unification Prayer of Union
		Kingdom Righteousness Peace				(Prayer of Quiet)
IV LIGHT		Illumination	(2) Divine Light Pure Hesychasm	Steps 28 27 Hesychasm		(2) Illumination
						(Prayer of Recollection)
III APATHEIA	(2) Purification					(1) Purification
				Spiritual Development		(Prayer of Mind)
II METANOIA	(1) Repentance		(1) Prayer Labor	(1) Steps 1-26	(2) Εὖ Εἶναι (Well-Being)	
		Prayer Fasting Almsgiving				(Prayer of Simplicity)
I IMAGE					(1) Εἶναι (being)	

Appendix II

APOPHATIC APPROACHES

CATAPHATIC APPROACHES

	St. Gregory of Nyssa	St. Basil	St. Macarios	Evagrius	Origen
V	(3) Knowledge of God	(3) Θέωσις	Ἀπομόλυνσις		Ὁμοίωσις
	(2) Cloud (Darkness)	Luminous		(3) Προσευχή	(3) Πνευματικός Γάμος Θεολογία
IV	(Light)	(Illumination)	φωτισμός	(2) θεωρία (Γνωσις)	(2) Φυσική θεωρία
III	Ἀπόθεα Παρησία (God Confidence)	(2) Καθαρότης Καρδίας		(1) Πράξις (Πνευματική)	Πρακτικός
II	Ἐπίκρασις (Tension)	(1) Σοφία	(Baptism)		
	(Darkness of Sin)	(Intellectual Knowledge)			
		(Journey of Knowledge)	Υλκήτις		
I		(Image of God)		(Εἰκόν) INTELLECTUAL STATES	

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Reflections on Mixed Marriage in the Context of Parish Ministry

EDWARD HUGHES

I have been a parish pastor for nearly twelve years in the Antiochian Archdiocese. During that time, I have served three parishes in very different areas of the country: on the Gulf Coast of East Texas/Louisiana the Pocono Mountain/Coal region of Eastern Pennsylvania. and North-Eastern Massachusetts/Southern New Hampshire. These are three of the oldest parishes in the Archdiocese, having been founded by Lebanese-Syrian immigrants in 1898, 1904, and 1904 respectively, and are fairly typical of our older "ethnic" parishes, that is, those that were founded by Arabic speaking immigrants, making up two-thirds of the Archdiocese, as opposed to those founded by converts which make up one-third of the Archdiocese. (Of course, some parishes change ethnic make-up after they were founded, because of the mobility of our society.) Thirty years ago, Kallistos Ware in his book *The Orthodox Church*, mentioned at the clergy of the "Syrian Archdiocese" was made up of nearly 30% converts. The number of faithful at that time must have been nearly the same percentage. All of this is important when we look at the phenomenon of mixed marriages within our jurisdiction. Since I only have experience with "ethnic" parishes, I have no idea what effects intermarriage has on convert parishes such as new missions, Antiochian Evangelical Orthodox Mission parishes, or Western Rite parishes in our Archdiocese.

In Lebanon and Syria it is not uncommon for Orthodox to marry Christians of other denominations, particularly Melkite Catholics or Maronites. Ancient custom obliges the woman to follow the religion of her husband, and the children likewise. The clergy of all three churches accept this custom without question and almost without exception. The result is that in

those villages or cities where all three churches are present, the congregations of each are intimately interrelated with the others. Under these circumstances, intermarriage between Christians becomes a matter of course and of no concern to those involved since the result is a single-religion home and family. It is not a matter for competition between churches either, since each tends to gain the same number as they lose, and communities remain fairly stable.

In America, this same custom has generally prevailed within the Syrian Lebanese community. In Lawrence, Massachusetts where I am presently serving, we have a large Lebanese population. The Melkite Catholic, Maronite, and Orthodox communities are deeply interrelated through intermarriage both here and in their villages in the old country. Many older women of my parish were Melkite or Maronite until they married. Their mothers or grandmothers, however, were raised Orthodox. It is only recently, and only among later generations, that girls may retain their own religion after marriage, although only a few have actually done so. Among the first generation of those born in America, it is still not done.

Among the earlier generations, and among the recent immigrants, young people tend to marry exclusively within the Arabic community even though they do not discriminate among the three churches. After the Second World War, the community opened up somewhat more to outsiders and young people began marrying outside of the ethnic group. They largely married Roman Catholics in those days. The Roman church back then made it very difficult for people to marry non-Catholics, so most of these couples married in the Orthodox Church. Since the Catholic spouse was usually unable to practice Catholicism because of the marriage, most of them became practicing Orthodox. Looking through the parish records, and judging from the number of non-Arabic names throughout the Archdiocese "Marrying into" the Orthodox Church was very common through the 1950's and 1960's; at least 30%. It is probably due to this phenomenon that our Archdiocese had so many converts through those years. Only a few, mostly women, left the Church to follow their spouses into the Roman Catholic Church.

Pastorally, this influx of non-Arabs into the established parishes did have some effect. In most cases, the spouses "marrying in" were Roman Catholics who did not see much difference between Orthodoxy and Catholicism except for the Pope. Most of them were as comfortable practicing Orthodoxy as they had been as Catholics. Most of them received abso-

lutely no form of catechism or education into the Faith except from their in-laws. As a result, they never formed a clear idea of what Orthodoxy really is, and could not pass on any particularly Orthodox understanding to their children. Growing up with a Roman Catholic set of grandparents, aunts, uncles, and cousins, as well as an Orthodox set and seeing how their parents merged Catholicism and Orthodoxy in their personal understanding of religion these children cannot distinguish between the two churches except in superficial ways.

Also, these families sometimes practice religion in both churches to varying degrees. Because of immediate family ties, Orthodox are often called upon to be god-parents and best-men in Roman Catholic ceremonies. This is strictly forbidden by our Archdiocese in its official written policy, but is extremely difficult to control in actual parish situations. No matter how often these people are told, they just do not hear, the idea is just too foreign to them. At funeral and wedding masses as well, Orthodox in these family situations feel comfortable communing in the Catholic Church. Sometimes, whole Orthodox families make a habit of attending mass with their Roman Catholic relatives on the greater Holy Days, especially Christmas and Easter and communing there as well. In each parish I have served, a few people have requested that I schedule Holy Day services so that they will not conflict with their family customs of attending the other churches. In a few cases, some people have even held joint membership in the Orthodox and Roman Catholic churches and have taken leadership positions in both churches. Once again, even though official written policy of the Archdiocese forbids such syncretism, it does occur to varying degrees in the older, "ethnic" parishes.

It is easy to say that all of this could have been prevented had these "married in" converts been given adequate instruction in the Orthodox Church, as the Archdiocese insists, but since all of this occurred forty and fifty years ago, such an observation is only useful in future situations. There is nothing that will change the past. The problem of catechizing and instructing people who have been Orthodox for thirty or even fifty years, and their children who have been Orthodox all their lives remains. People can become negative and even hostile to hear what they consider novelties and innovations in the Faith in which they have become comfortable, or in which they have grown up. It requires a good deal of creativity, patience, and tact to teach the fullness of Orthodoxy to parishioners who thought that they already knew what that was. Resource materials and adult educa-

tion curricula specifically dealing with this problem, or at least taking into consideration this situation, are not yet available, but would be most welcome.

A correlative problem is the possibility of division among parishioners who hold to differing models of the Faith. It has always seemed a given that a congregation of Orthodox share the same Faith, but in the diverse society in which we live, and because, of the extended consequences of converts "marrying in" without catechetical preparation, an average parish contains people of all levels of understanding, and widely varying personal beliefs. In the course of normal parish life, casual statements or observations can bring out sharp differences, provoke disparaging comments, or cause arguments between people of differing understandings of Orthodoxy. While the misunderstandings of the "Romanized" parishioners are, perhaps, spiritually dangerous, so are the uncharitable and condescending reactions they provoke from parishioners of more traditional upbringing. It is important in the parish situation to establish some common level of agreement and shared belief as well as active Christian charity for everyone involved.

More recently, we are seeing the new form of mixed marriage in which each spouse retains his or her own religion at the time of the marriage. In my experience, at least a third of these, probably even more, come to a joint agreement after a while, and join one church. I personally try to discourage the couple from making a choice before the wedding. This is a most tense and stressful time, and not one for making such an important and often emotional decision. I would like to avoid future recriminations or accusations that one side pressured the other into a decision that was not completely voluntary. I believe that to accept Orthodoxy is a matter of too much importance to rush into while people are deeply involved in getting to know each other negotiating with each other's families discovering the nuances of newly married life, and adjusting to major life-style changes. I have found that the extended family of the Orthodox spouse can do a lot to present the Faith to the other spouse if they themselves actively practice it. Of course, I do not mean lecturing, nagging, or bullying. Gentle, kind, and sincere invitations to be part of Church life can make a new family member feel less like an outsider especially if everything is explained simply and clearly. Most importantly, nothing is so attractive as the sight of a family truly filled with joy in practicing the Faith; and a new family member cannot help but be intrigued and interested to find out more about

something so pleasant. I have even seen non-Christian spouses eventually come to the Orthodox Church because their in-laws made it seem so attractive, and because they were allowed to come gradually to the decision.

For those couples who persist in keeping two separate religions, the difficulties are great, but perhaps the results are better than having one spouse "marry in" without preparation. We have many families in which one parent comes to the Orthodox Church, while the other parent is raising the children in another Church. There are also many families in which one parent brings the children to the Orthodox Church, while the other parent goes alone to the other church. Usually this does not cause the identity problems caused by the older custom. The parents eventually have to explain to the children why they do not both go to the same church. Each of the parents probably has a strong commitment to his or her own church, which means that they can better explain the religion to their children. The children have a stronger identity with the religion in which they are being reared, simply because they are always asking and trying to understand the differences between their parents. As long as the parents can agree in which church to raise the children, this situation, while not ideal, seems to produce better results. The biggest problem arises if the parents divorce. In the normal situation of joint custody, each parent gets the children on alternating weekends. Very often this means that the children are now going to both churches alternately, which results in confusion. Even worse is the situation in which the children were being raised in the father's religion and now are living with the mother. Of all the many problems of divorce and its effect on children, this one is very difficult to deal with. It is an easy temptation for the parents to try to eradicate their ex-spouses' influence over the children. Because religion produces such deep emotions, it becomes a natural weapon to use against an ex-spouse, and the children become very confused about the very meaning of religion in such a context. I have found non-Orthodox clergy to be very sensitive to these situations, and very willing to cooperate in counseling couples not to involve their children in a religious battlefield. It is impossible to deal with this alone, however. The non-Orthodox spouse is typically unwilling to listen to anything an Orthodox priest has to say under such circumstances.

Based on my observations and experiences, I firmly believe that it is better not to force a non-Orthodox person to convert in order to be married in the Orthodox Church. I feel that it produces far better pastoral results even if the person never converts to Orthodoxy, to allow couples to make

informed decisions without haste or pressure. If the non-Orthodox does, in fact, convert, then that conversion is deeper, stronger, and more sincere than one that was coerced. And such a convert is much better prepared to share the Orthodox Faith with children and to participate intelligently in the entire life of the Church. If the non-Orthodox does not convert it still produces better adjusted and more aware children who are consciously raised Orthodox, in clear distinction to the other parent's religion, rather than half-heatedly raised with a syncretistic amalgam of modern American religion.

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Sociological Research on Interfaith Marriage in America

DEAN R. HOGE

INTRODUCTION

In this paper I will summarize the state of sociological research on interfaith marriage in America. The paper was commissioned by the Holy Cross Greek Orthodox School of Theology, so I will emphasize research pertaining to the Orthodox community.

Interfaith marriage is seen as a good thing by some people and as bad by others. People who believe in the melting pot ideal for America see interfaith marriage as good for its effects in speeding assimilation. Others see it as bad because they worry that interfaith marriage will erode the identity of their own group and maybe even lead to its eventual disappearance. In this paper I will not take a stand on this question but will try to present the research in a non-partisan way.

Let me mention at the outset that the American Jewish community is worried about interfaith marriage, since interfaith marriage appears to threaten the future of Jewish identity. For this reason the Jews have sponsored more research on interfaith marriage than anyone else, and today we know more about interfaith marriage involving Jews than about any other type. In 1990 the Council of Jewish Federations commissioned a major study on the topic.¹

In presenting the research I am faced with the question of whether the extensive Jewish research is pertinent or not pertinent to the Orthodox community. The American Jewish community and the Orthodox community

¹ Kenneth Woodward, "The Intermarrying Kind" *Newsweek* 188 (July 22, 1991) 48-9. Report on the 1990 National Jewish Population Study.

are similar in some ways. Both are products of recent immigration (largely since 1880), both are supported by a combination of religious and ethnic identities, and both are relatively small. The total Jewish community today is estimated at about 4.5 million, while the combined Orthodox community is about 3 million, and the Greek Orthodox community closer to 2 million. Both Jews and Greek Orthodox are experiencing rising rates of interfaith marriage. I tend to believe that the Jewish research is quite relevant to the Orthodox and is worthwhile to look at closely. Unfortunately there is little research on interfaith marriage of Orthodox Christians in America.

In this paper I will pose four questions and answer them as well as possible from the research.

I. WHAT ARE THE TRENDS IN INTERFAITH MARRIAGE?

All research shows that interfaith marriage is increasing, and there is near-certainty that it will increase in the future. The best research was done by Allan McCutcheon,² based on a set of surveys of the American population. He estimated that the percent of Catholics marrying non-Catholics was 33% in the 1940s, 36% in the 1960s, and 43% in the 1970s. For Jews the figures were 13% in the 1940s, 21% in the 1960s, and 41% in the 1970s. For Presbyterians and Episcopalians the figures were 71% in the 1940s, 76% in the 1960s, and 81% in the 1970s (that is, persons marrying outside the specific denomination). For Lutherans the figures were 58% in the 1940s, 69% in the 1960s, and 78% in the 1970s. Only in the most conservative Christian denominations (such as the Baptists, Pentecostals, Church of Christ, and Nazarene) did the rates of interfaith marriage remain steady over this period.

A study by Glenn³ using other sets of poll data also found increases, but not quite as large—an increase from 1957 to the mid-1970s of about three percentage points for Protestants, about six points for Catholics, and about six points for Jews. For the mid-1970s he estimated intermarriage rates at 16% for Protestants (that is, marriage of Protestant persons to non-Protestant persons), 38% for Catholics, and 20% for Jews. In all the communities,

² Allan L. McCutcheon, "Denominations and Religious Intermarriage: Trends Among White Americans in the Twentieth Century" *Review of Religious Research* 29 (1988) 213-228.

³ Norval D. Glenn, "Interreligious Marriage in the United States: Patterns and Recent Trends" *Journal of Marriage and the Family* 44 (1982) 555-566.

younger people had more interfaith marriages than older people. The recent Jewish study estimated intermarriage for Jews since 1985 at 52%; it found that at present 60% of Reform Jews, 50% of Conservatives, and 25% of those raised Orthodox are intermarried. An analysis by Charles Mostwin⁴ of Greek Orthodox Americans estimated the interfaith marriage rate in the mid 1970s as about 50% for those with church marriages, and higher when one includes those marrying outside the church.

In sum, the trend is upward, and it seems to be moving upward faster in recent decades than it did a half century ago. We can get some indication of the future by looking at the factors which seem to be driving the rate upward.

Determinants of Intermarriage Rates

When persons marry spouses from outside their faith group, the spouses usually come from groups similar religiously, educationally, and economically. For example, liberal highly-educated Protestants enter into more interfaith marriages with liberal highly-educated Jews than with other Jews or with traditional Catholics. Catholics intermarry more with Episcopalians and Lutherans than with Baptists or fundamentalists.

The rate of intermarriage for any religious group is a function of three factors. The first is its percentage of the total population. Let me explain. If a young man who belongs to Religion X, which comprises 5% of the population, seeks a spouse, and if the marriage market is open and unrestricted, the chance that he will have an interfaith marriage is 95%. This mathematical fact drives interfaith marriage rates upward for small groups. Empirically this is the case. For example, Jewish researchers have found higher intermarriage rates in Jewish communities which are small percentages of the population, such as Kansas City, than in communities where Jews are numerous, such as New York City.

The second factor is the importance of barriers to interaction within the local community. For example, if a metropolitan area is filled with people speaking different languages, as is the case in a city such as San Antonio or El Paso, the interfaith marriage rate will be much lower than if no such barrier existed. Language barriers act to divide the marriage pool into segments. Language, social class, and ethnic barriers in any locality all act to lower the interfaith marriage rate, quite apart from any conscious efforts or

⁴Charles Mostwin, *Greek Americans* (Englewood Cliffs, NJ, 1980).

actions by community leaders.

The third factor is somewhat related to the second. It is the intensity of group identity and group life, combined with the amount of emphasis put on the importance of in-group marriage. All religious groups prefer same-faith marriages for their youth. All research shows that intense religious involvement by a family reduces the probability of interfaith marriage by the children. This occurs not only because the parents make clear their objection to any prospective spouse from another religion, but also because the religious life in itself puts the young adults into greater contact with other young adults of the religious group. Religious schools, language schools, summer camps, and youth trips to visit the old country or to do mission work, all serve to put young adults into intense contact with others of the same religion and increase the rate of same-faith marriages. In groups where ethnic identity and religious identity are closely connected, any weakening of ethnic identity is likely to weaken religious identity as well and to increase the rate of interfaith marriage.⁵

This last factor partly explains why small groups such as the Jews can keep rates of interfaith marriage low. Being a small minority increases group-consciousness, and being an embattled small minority increases it even further. For a traditional Jewish young man the pool of available spouses is small in the Jewish community and large outside, yet he lacks meaningful contact with the people outside and is also faced with constant reminders from his elders about the importance of marrying a Jewish woman.

We can now understand the increase in interfaith marriage today. The main explanation is the lowering of barriers separating religious and ethnic groups in urban areas and the subsequent greater contact of young adults of any religious group with young adults in other groups. Suburbanization is certainly a factor, in that no ethnic enclaves are found in suburbs. Consolidation of schools is probably another factor. Rates of college attendance appear to be another factor, although we need to be cautious because McCutcheon had a good opportunity to test the impact of college attendance on interfaith marriage and found no discernible impact. In sum: any weakening of religious identity in a particular group will tend to increase interfaith marriage, since the parents will increasingly convey to their children that their particular denomination or religion is not really

⁵ John Wilson, *Religion in American Society* (Englewood Cliffs NJ, 1978).

important and that they have no objection to spouses from other groups.

I should mention the recent trend toward later marriage. It is unrelated to the argument I am making, yet it is a startling fact of American society—that young adults put off marriage longer today than at any time in the 20th century. The average age of first marriage for women in the U.S. was 20.8 in 1970, and it rose to 23.8 in 1989. For men the figure was 23.2 in 1970 and 26.2 in 1989.⁶ This trend would suggest that the typical age of spouse selection is also moving upward and that the outcomes of the selection would correspondingly shift, for example, in that more spouses are first met in colleges or workplaces, less often in high schools or youth programs.

Sociologists studying any religious group need a way of measuring the strength of group ties and the total structure of contacts the young adults have. Such a measure does not exist, yet we can describe what it would be like. It would measure the mix of persons a young adult of that religion interacts with over a prolonged period of time in the matchmaking years and also the strength of influence his or her parents exert in dissuading an interfaith marriage. If we had this measure for each year, we could predict the future rate of interfaith marriage. But we don't have it, and all we can do is guess. My best guess is that present trends will continue—with a further increase in interfaith marriage.

Trends in Attitudes Toward Interfaith Marriage

We possess data on attitudes toward interfaith marriage as well as data on its frequency. A few studies have measured trends. In general, interfaith marriage of all kinds has gained in acceptance. In 1968, 63% of Americans approved of marriage between Protestants and Catholics, and in 1983 the figure rose to 79%. In 1983 only a very small proportion (12% of Protestants and 6% of Catholics) disapproved of marriage between a Jew and a non-Jew. Negative attitudes toward Jews have been monitored by social scientists since the 1950s, and the levels have fallen steadily. These attitude trends are a product of the same forces which produced the increases in interfaith marriage.

Jewish researchers have asked parents of all ages what their attitudes are toward intermarriage for their children. They found large differences

⁶ United States Bureau of the Census, "Households, Families, Marital Status, and Living Arrangements" *Current Population Reports*. Population Characteristics, Series P-20, No. 445 (Washington, DC, 1989).

between older parents and younger ones.⁷ For example, in the Philadelphia study among parents 18 to 29 years old, 65% said they would be neutral in the case of one of their own children wishing to marry out. Among parents 30 to 39, 57% said they would be neutral. Among parents 40 or older, about 50% said they would be neutral. There is a definite trend toward saying that religion should not be a foremost concern in selecting a spouse.

II. WHAT TYPE OF PERSON IS MOST LIKELY TO INTERMARRY?

As I noted, interfaith marriage is usually seen as a deviant form of behavior. Most families prefer the youngsters to marry same-religion spouses. If this is so, what kinds of conditions and influences enable a person to go against religious training and parental norms to enter into an interfaith marriage? One possibility is that interfaith marriage is most common among persons whose parents are less committed to the religion and are less opposed to interfaith marriage. Several studies have indeed shown this to be the case. Another possibility is that interfaith marriage is relatively more common among persons who have rebelled against their parents. This too has been confirmed by a series of studies.

Children of religiously mixed marriages are more likely to enter mixed marriages themselves. Existing studies agree on this. Also the studies agree on another finding: that second marriages are more often interfaith than first marriages.⁸ Why does this occur? No one is certain. In the studies there is little information on the first marriage or on the person's parents. Possibly the characteristics that make a person likely to divorce—an act which is contrary to religious and social norms—are the same as those that make a person intermarry afterward. Or possibly the self-consciousness that one is a divorcee creates a sense of being an outsider from one's religious group, thus less concerned about the social conventions of the group. A third possibility is that small children are less likely to be involved in second marriages, and their absence makes intermarriage less consequential. These are possibilities, but no research has tried to assess their importance.

⁷ Yisrael Ellman, "Intermarriage in the United States: A Comparative Study of Jews and Other Ethnic and Religious Groups" *Jewish Social Studies* 49 (1987) 14.

⁸ Dean R. Hoge and Kathleen M. Ferry, *Empirical Research on Interfaith Marriage in America* Booklet (Washington, DC, 1981); and Y. Ellman, "Intermarriage..."

Age at marriage is a factor. Most researchers have found that abnormally young marriages (18 or younger) are more often interfaith than those contracted during the partners' twenties—the preferred age for marriage.⁹ The probable explanation is that young marriages are partly deviant behavior contrary to parents' wishes, so parental influence over selection of the spouse will be weaker on the average. However, one large study¹⁰ failed to find an association between younger age at marriage and interfaith marriage, so we need to be tentative about our conclusions.

Young adults tend to intermarry if their religious identity is weak and if their parents have no opposition to inter-faith dating. This is a constant finding in Jewish research. In a large study of Jews in Philadelphia, the rate of intermarriage was 6% among those of Orthodox family background, 18% among those with a Conservative background, 18% among those with a Reform background, 14% among the "just Jewish," and 27% among those with a secular background.¹¹

A nationwide study by Egon Mayer¹² asked Jewish persons who had intermarried what their parents had said about the marriage. Six percent of the parents approved, and 34% were unconcerned; the other 60% were opposed. The Gentile spouses were asked the same question. Nine percent of their parents approved and 60% were unconcerned; the other 31% were opposed. Both the Jewish and the Gentile parents were generally unopposed to friendships across religious boundaries, but when it came to marriage, their opposition stiffened—albeit too late. The Jewish spouses also described their parents as not very religious; over half said the parents were "not at all religious" or even "antireligious." Only 57% of the Jewish spouses had any formal Jewish education.

⁹ Lee Burchinal and Loren E. Chancellor, "Ages at Marriage, Occupation of Grooms and Interreligious Marriage Rates" *Social Forces* 40 (1962) 348-353; William F. Kenkel, Joyce Himler and Leonard Cole, "Religious Socialization, Present Devoutness and Willingness to Enter a Mixed Religious Marriage" *Sociological Analysis* 26 (1965) 30-37; Thomas Monahan, "Some Dimensions of Interreligious Marriages in Indiana, 1962-1967" *Social Forces* 52 (1973) 195-203.

¹⁰ A. McCutcheon, "Denominations..." p.

¹¹ William L. Yancey and Ira Goldstein, *The Jewish Population in the Greater Philadelphia Area* (Philadelphia, 1984).

¹² Egon Mayer, "Processes and Outcomes in Marriages Between Jews and Non-Jews" *American Behavioral Scientist* 23 (1980) 487-518; and "Love and Tradition: Marriage Between" *Jews and Christians* (New York, 1985).

"We have found that the marriages between Jews and non-Jews very rarely involve a 'bad' Jew marrying a 'good' Catholic or Protestant. Rather, in the great majority of cases, we have found that such marriages involve a 'bad' Jew marrying an even 'worse' Catholic or Protestant, or someone without any discernible religious background. In most cases they were able to define their mates, both in their own minds and for their parents, as 'really not very different from us'."¹³

Amount of Jewish schooling was associated with a lower rate of interfaith marriage in several large Jewish studies, but not in others. In several Catholic studies the amount of time a person had attended Catholic schools was predictive of a lower rate of interfaith marriage.

Amount of secular education bears no clear relationship to interfaith marriage among Jews. But among Catholics there seems to be a pattern. Researchers have found that highly educated Catholics are more likely to intermarry than other Catholics.

III. WHAT ARE THE EFFECTS OF INTERFAITH MARRIAGE ON THE COUPLE?

Some interfaith marriages result in conversion. Couples who intermarry religiously have four options: One spouse can convert to the other spouse's religion, both can convert to a "neutral" denomination, both can maintain their separate churches, or both can drop out of church involvement entirely. Which is the most common? Researchers who have looked into the question have found that approximately half of the interfaith marriages produce a conversion of one of the spouses. In marriages involving Jews the most common pattern is for the non-Jew to convert. In marriages involving Catholics and Protestants up until the 1960s more Protestant spouses converted to Catholicism than vice versa, but today the picture appears to be more balanced, with roughly equal numbers moving in each direction. In individual cases today there is a clear pattern—the partner with the weaker religious commitment and family pressure converts in the direction of the other.

Both Jewish studies and Catholic studies have found fewer conversions after interfaith marriage today than in the past. More couples remain in their religious group or lose interest in religion entirely.¹⁴

¹³ E. Mayer, "Processes..." 508.

¹⁴ Andrew M. Greeley, "Religious Musical Chairs" Ch. 7 in Thomas Robbins and Dick Anthony (eds.), *In Gods We Trust: New Patterns of Religious Pluralism in America* (New Brunswick, NJ 1981) 101-126.

Numerous Jewish researchers have looked into the question. Ellman¹⁵ reviewed the studies and concluded that about 30% of the cases of Jewish intermarriage produced conversion of the non-Jewish spouse, or at least a declared identification with the Jewish people and religion without a formal conversion. This figure is moving downward in recent decades, so that in the most recent marriages it is a little over 20%.

Mayer found that many more non-Jewish partners convert in than Jewish partners convert out. This ratio of in-conversion to out-conversion is important to note, because it runs counter to the general assumption in American society that interfaith marriage is one of the steps in the assimilation process. In Mayer's words, "These observations lend little support to the popular notion that marriage between Jews and non-Jews leads to the assimilation of the Jew."¹⁶ Actually interfaith marriage may be a part of assimilation of minorities or it may be the opposite—a gain in group identity for some individuals who grew up in the blurry center of American culture. People are moving in both directions, and no one should assume that the sole movement is from ethnic minority identity to common American culture identity. Which direction of flow is larger? In American Judaism the flow inward is greater than the flow outward, but this does not mean that interfaith marriage produces a net gain for the Jewish community; on the contrary it is part of a wider process producing a net loss over time, since the children of interfaith marriages tend to have weaker Jewish commitment. The recent Jewish study concluded that the American Jewish community is losing more members through conversion and disinterest than it is gaining.

Most conversions take place at or near the time of marriage, and virtually all of the rest take place before the first child is ten years old, suggesting that questions of the child's religious identification and training precipitate many decisions about conversion. Americans seem to share a belief that a religiously united family is better than one which is religiously divided.

Are Interfaith Marriages Happy?

The consensus of researchers is that interfaith marriages are a bit less happy and less durable, on average, than same-faith marriages. Some stud-

¹⁵ Y. Ellman, "Intermarriage..."

¹⁶ E. Mayer, "Processes..." 510.

ies have looked at reports of marital happiness in surveys, and others have looked at divorce rates.

Glenn¹⁷ analyzed reports of marital happiness in numerous nationwide polls and found that interfaith marriages were slightly less happy, on average, for men but not for women. The reason for the sex difference is unclear. Glenn found that the happiest marriages were those of Jews married to Jews. Next happiest were Catholics married to Catholics or Protestants married to Protestants (the two had similar scores). Lowest were Protestants, Catholics, or Jews married to persons with no religion.

Glenn entertained the possibility that interfaith marriages, and especially marriages involving a non-religious spouse, were less happy because of earlier factors which produced such a marriage in the first place. He controlled seven such factors and found mixed results, indicating that the idea has some validity but is not strong. Glenn looked at trends and after a survey of other research he suggested that the effect of interfaith marriage on marital happiness is slowly weakening in American society.

Intermarried couples in which no spouse converted have been found to be less happy than those united religiously by conversion. Continuing religious differences appear to lessen the sense of companionship in a marriage. Another source of friction is the question of which religion the children will follow. Yet another is handling interference by in-laws.

Are Interfaith Marriages More Likely to Lead to Divorce?

Although research reports differ on this question, the best conclusion is that the answer is yes.¹⁸ Bumpass and Sweet did a thorough analysis of the best available data on divorce, and they concluded that divorce rates vary depending on several identifiable factors. Let me note here that the single strongest predictor of divorce in any marriage is not religion—it is age at marriage. The younger the persons at the time of marriage, the less durable the marriage. Also marriages after a premarital conception or birth are less durable, as are marriages in which one partner has already been divorced. Interfaith marriage is a weaker predictor of divorce than these factors. Of the various kinds of interfaith marriage, the least durable are those uniting one religious and one non-religious partner or uniting one fundamentalist and one non-fundamentalist. Other research indicates that in general, in-

¹⁷N. Glenn, "Interreligious..." 555-6.

¹⁸Larry Bumpass and James Sweet, "Differentials in Marital Instability: 1970" *American Sociological Review* 37 (1972) 754-766.

terfaith marriages are less stable the greater the difference between the religions of the partners.¹⁹

The question remains if the lower stability of interfaith marriages is due to the marriage experience itself or if it results from a "selection factor"—that certain kinds of people enter into interfaith marriages in the first place, and they are also the type more likely to divorce later. (For example, marital stability is lower for non-religious people.) Bumpass and Sweet looked into this question and concluded that interfaith marriages were less stable apart from the influence of selection factors. Apparently both selection factors and the marital experience contribute to higher divorce among intermarried people.

Several Jewish researchers have looked into divorce rates, and the conclusion is unanimous that interfaith marriages are less durable. For example, the large study of the Philadelphia Jewish community found that 12% of the all-Jewishly married are separated or divorced compared with 21% of the interfaith couples. Ellman reviewed the studies and concluded that the effect of interfaith marriage on divorce rates is smaller today than in the past.

Religious Involvement of the Interfaith Couple

Research shows that intermarried couples have substantially lower rates of religious involvement than same-faith couples.²⁰ For example, in nationwide data from the 1970s, 51% of Catholics with Catholic spouses reported weekly church attendance, compared with 26% of Catholics with non-Catholic spouses.²¹ Couples who do not resolve their religious differences by conversion seem to face continuing problems, which often lead to ignoring the subject of religion as much as possible. Again we are faced by the complication of a possible selection factor—in that partners in in-

¹⁹ L. Burchinal and E. Chancellor, "Ages..." and J. Wilson, "Religion..."

²⁰ Paul H. Besanceney, *Interfaith Marriages: Who and Why* (New Haven, CT, 1970); Harry Crockett, Nicholas Babchuk and John A. Ballweg, "Change in Religious Affiliation and Family Stability: A Second Study." *Journal of Marriage and the Family* 31 (1969) 464-468; Jon P. Alston, William A. McIntosh and Louise M. Wright, "Extent of Interfaith Marriages Among White Americans" *Sociological Analysis* 37 (1976) 261-264; Dean R. Hoge and David A. Roozen, "Research on Factors Influencing Church Commitment." Ch. 2 in D. Hoge and D. Roozen (eds.) *Understanding Church Growth and Decline: 1950-1978* (New York, 1979) 42-68.

²¹ J. Alston, et al. "Extent..."

terfaith couples might be the type of person less likely to be church-involved in any case.

Whether or not one or the other partner has converted is an important factor. Jewish research has found that the level of Jewishness in a family in which conversion of the non-Jewish spouse has taken place is clearly higher than in those with no conversion.²² For example, in the Philadelphia study, 87% of all children having two Jewish parents received some form of Jewish education, while 56% of those with one Jewish-born parent and one recent convert did, and only 18% in those interfaith families in which there had been no conversion. As before, we are faced with the problem of a selection factor; probably the Jews in interfaith marriages were different in attitudes toward Jewish education of children even before entering the marriage.

Egon Mayer distinguished between religious and ethnic elements of Jewishness. He found that converts to Judaism appeared to adapt themselves more easily to the purely religious aspects of Judaism (worship and prayers) than to the more ethnic ones (family gatherings and holidays). Also their attitudes changed more than their behaviors and affiliational activities. Apparently they felt more included in the religious life than in the ethnic social life.²³

IV. WHAT ARE THE EFFECTS ON THE CHILDREN?

We would expect that children of mixed marriages would be less religious, on average, than children of same-faith marriages, but curiously, the few research studies we have are not decisive on this topic. We are faced with an important question without a clear answer. In theory there should be a clear pattern in the research findings, but in fact the research has not demonstrated it. My own conclusion is that children of mixed marriages are less religious on average, even though we still await research proof.

The 1990 Jewish study found that nearly three of every four children of intermarriages are being raised either as Christians or with no religion at all. Here we have a serious problem of a selection factor. The proper comparison group when assessing interfaith marriages is same-faith marriages of spouses with the same level of religious identity and involvement. It is

²² Y. Ellman, "Intermarriage..." 13.

²³ E. Mayer, "Processes..."

not same-faith marriages in general. Already we know that intermarried persons have weaker religious identity, on average, than others in the religious group. So it is an important question, yet difficult to assess, whether the weakened religious commitment of the partners prior to the marriage or the interfaith marriage experience itself produced weaker religious involvement by the children. Egon Mayer made a judgment after reviewing the data on Jewish persons who intermarried and then abandoned any ancestral identification: "It is quite clear that assimilation preceded rather than followed intermarriage."²⁴ That is, the apparent losses to Judaism after intermarriage are caused more by a weakening of Jewish identity among the youth prior to marriage than by the marriage itself.

One finding in the Jewish studies is that the parents tended to give the children religious education in one tradition or the other with an expectation that the children will make their own decisions about religion later. This assumption is widely held by Protestant and Catholic parents today, and the research is unclear if the intermarried couples hold it to a greater or lesser extent than same-religion Christian couples. We should keep in mind that middle class Christians today are often hesitant to exert much influence on the religious decisions of their children, with the view that this is the child's business, and the parent's role is to offer opportunities, education, and exposure, but no pressure of any kind.

One consistent finding in the research is that in interfaith marriages, mothers tend to have more effect on the religious behavior of children than do fathers.

Some Implications

All religious groups need to face the fact that interfaith marriage is here to stay. It is a product of the type of society we live in. It is likely to increase in the years ahead, and efforts to reduce its frequency are not likely to have short-term effect. With greater interfaith marriage the identities of American religious groups will inevitably change in some way or other, probably in the direction of greater goodwill, greater mutual recognition, and reduced distinctiveness from others. Whether it will bring a weakening of the separate religious groups is unclear, as we have seen in the Jewish case. Egon Mayer suggested that interfaith marriage is a kind of sorting process, whereby people with a weak religious identity—or even with a

²⁴E. Mayer, "Processes..." 286.

religious identity they dislike—can throw it off, while others who desire a stronger religious identity gain the opportunity to achieve it. He concludes that interfaith marriage does not inevitably lead to assimilation of the minority person; it depends on the relative strength of religious convictions and group ties of the partners going into the marriage and on the group life in the respective communities.

The question will occur to religious leaders, that if interfaith marriage cannot be stopped or diminished, maybe at least its effects can be influenced in one way or another. This question raises others: Which effects are most important to achieve and which effects can be allowed to occur in their own natural way? Which types of change in the younger generation are desirable and undesirable? What elements of identity are sacred and what elements are only accidental and without meaning? Should religious leaders perform interfaith marriages? Should interfaith marriage be discouraged? The research cannot answer these questions, but I hope that the findings outlined in this paper will raise the level of discussion.

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Some Specifications With Regard To The Date And Names Of The Second Session Of The Sixth Ecumenical Synod

IOAN DURA

As is well-known, the two sessions of the Sixth Ecumenical Synod — in 680 and in 691 respectively—took place in the same dome-shaped assembly room of the palace of Constantinople (ἐν τῷ τρούλλῳ τοῦ βασιλικοῦ παλατίου).¹

Concerning the date of the work of the second session of the Synod, there is a diversity of opinion among Orthodox and Catholic historians and canonists. This is so, even though the date of the second session of the Synod was clearly noted by the manuscript tradition of canon 3, which indicates : “the year 6199, after the 15th of January of the fourth past Indiction,”² that is to say after September 691 and consequently before January 692. The canonist P. P. Joannou noted as well that “the ‘past’ January belonged to the fourth Indiction (690-691), and this had already ‘gone by’,” so the Synod was gathered “between the 1st of September and the 31st of December, probably in October 691.”³ Besides, the Metropolitan of Sweden, Dr. Pavlos Menevisoglou, noted that the exact time of the convocation of the Synod was “in the period between the 1st of September and 31st of December 691.”⁴ Very recently the same Orthodox hierarch Pavlos

¹ P.P. Joannou, “Les canons des conciles oecumeniques,” in *Fonti*, Fasc. 9, vol. 1, pt. 1, 101.

² Ch. J. Hefele - H. Leclercq, *Histoire des Conciles d'après les documents originaux* (Paris, 1909) 3, 561.

³ Joannou, *Les canons*, p 98.

⁴ Pavlos Menevisoglou, “Ο Β' κανὼν τῆς Πενθέκτης Οἰκουμενικῆς Συνόδου,” *Τμητικὸν ἀφιέρωμα εἰς τὸν μητροπολίτην Κίτρους Βαρνάβαν ἐπὶ τῇ 25 ἐτηρίδι τῆς ἀρχιερατείας του* (Athens, 1980) p. 261, n. 2.

Menevisoglou wrote that the Synod of 691 was convened “probably in October or November” of that same year.⁵ So, it can be affirmed that the work of the second session of the Sixth Ecumenical Synod (Penthekte or “in Trullo”) took place in the year 691, and certainly neither in the year 692 nor even in “691-692,”⁶ as it is incorrectly affirmed even today in the historical or canonical literature.

For the Holy Fathers of the Synod of 691, this Synod was “a holy and ecumenical synod,” as it was affirmed by its canons 3⁷ and 51.⁸ Besides, the Holy Fathers were fully aware of the fact that they decreed for “the Church of God all over the world” (canon 56). In their speech addressing the Emperor Justinian II (685-95; 705-11) at the end of the Synod, they mentioned “this holy and God-chosen Ecumenical... Synod.”⁹ In addition, the Holy Fathers of the Seventh Ecumenical Synod (787), who confirmed and codified the canonical legislation up to that date, considered the 102 canons of the Synod of 691 as being the work of the Sixth Ecumenical Synod. So, in canon 1 of the Seventh Ecumenical Synod it is affirmed that: “... wholeheartedly we accept the holy canons and (we strengthen unchangeably) their entire commandment as decided by the six Ecumenical Synods.”¹⁰ In the acts of the Seventh Ecumenical Synod (787), wherein is cited canon 82 of the Synod of 691, the latter is called several times “the

⁵ Idem, *Ιστορική εισαγωγή εις τούς κανόνας τῆς Ὁρθοδόξου Ἐκκλησίας* (Stockholm, 1990) p. 280.

⁶ Here are three recent examples: Panteleimon C. Karanikolas, *Κλείς τῶν ἱερῶν κανόνων τῆς Ἀνατολικῆς Ὁρθοδόξου Ἐκκλησίας* (Athens, 1970) p. 13; M.P. Sesan, “Monotelismul. Sinodul 6 ecumenic de la Constantinopol din 680-681. Sinodul 2 trulan (quinisext) din 691-692,” *Istoria Bisericeasca Universală*, 1 (1-1054), 3rd ed. (I. Ramureanu - M. Sesan - T. Bodogae), p.p.388 and 395; Albert Failler, book review: Heinz Ohme, *Das Concilium Quinisextum und seine Bischofsliste. Studien zum Konstantinopeler Konzil von 692* (Arbeiten zur Kirchengeschichte 56) - Walter De Gruyter, Berlin - New York, 1990, 423 p., in *Revue des Études Byzantines*, 49 (1991) 286.

⁷ Canon 3 of the Trullan Synod: “... our pious and Christ-beloved emperor, addressed this holy and ecumenical Synod...” Mansi, *Sacrorum Conciliorum nova et amplissima Collectio* (Florence, 1765) 9, col. (941).

⁸ Canon 51 of the Trullan Synod: “This holy and ecumenical synod entirely forbids the so-called buffoons and their theatres,” *Mansi*, 11, col. (968).

⁹ G. Ralles - M. Potles., *Σύνταγμα τῶν θείων καὶ ἱερῶν κανόνων* (Athens, 1852) 2 p. 298.

¹⁰ See Prodhomos I. Akanthopoulos, *Κώδικας ἱερῶν κανόνων καὶ ἐκκλησιαστικῶν νόμων* (Thessalonike, 1991) p. 182.

Holy and Ecumenical Sixth Synod.”¹¹ The bishop of Nicomedia Peter and the Patriarch of Constantinople Tarasios himself, in the framework of the Seventh Ecumenical Synod’s work, declared that the canons of the Trullan Synod were canons of the Sixth Ecumenical Synod.

Here follow the testimonies of the two hierarchs:

“Peter, the most pious bishop of Nicomedia said: I have got another book containing the same canons of the holy sixth synod.... Tarasios, the most holy Patriarch said: some out of ignorance are scandalized at these canons, wondering whether they are of the sixth holy synod; let them know that the holy and great sixth synod was convened during the reign of Constantine against those who were considering one energy and one will of Christ; who [those of the synod] anathematized the heretics and declared the orthodox faith; then they left in the fourteenth year of Constantine’s reign; well, after four or five years the same fathers gathered during the reign of Justinian, the son of Constantine, and established the already exposed canons; and let nobody doubt them; those who signed in the time of Constantine were the same fathers as those who signed in the time of Justinian the present charter, as is clearly shown by their identical signatures. Because they had called the synod ecumenical, they had establish ecclesiastical canons.”¹²

At the same time, in canon 12 of the so-called “protodeutera” synod of Constantinople of 861, the Synod of 691 is called the “holy and ecumenical sixth synod.”¹³ The editor of the second prologue of “the constitution in fourteen titles,” in 883, mentions that in this constitution he had also included the canons “which the sixth ecumenical synod decreed.”¹⁴ Besides, some Holy Fathers referring to the canons of the Synod of 691, considered them as issued by the Sixth Ecumenical Synod. So, for example, in his “Third Oration Against Those Who Defame the Holy Icons,” reproducing the text of canon 82 of the Synod in Trullo with regard to the obligation to venerate the holy icons, Saint John the Damascene (ca. 675-749) precised that this canon belonged to the “holy sixth synod,”¹⁵ an expression which in the Latin version was reproduced as “Sanctae Synodi Quinisextae.”¹⁶ In addition, P. Michaelis Lequien, the editor of volume 94 of the Greek collection Migne, noted in the year 1864 in confession that “Hic titulus,” that

¹¹ See, for example, *Mansi*, 13, 40-41 and 417.

¹² *Ibid.* col. 41.

¹³ See canon 12 of the ‘Protodeutera’ Synod, in: Agapios Hieromonk - Nikodemos Monk (eds.), *Πηδάλιον* 4th ed., (Athens, 1886) p. 290.

¹⁴ Ralles - Potles, *Σύνταγμα*, 1, p. 8.

¹⁵ *De imaginibus*, *Oratio* 3, in PG94, 1417.

¹⁶ *Ibid.* 1418.

is to say "*tes hagian hektes synodou*" "multiplici vitio laborat, qui sic intelligendus est, ut eum Latinae reddidi."¹⁷ ("This title caused no little difficulty to be understood and reproduced in this manner in Latin").

Before 754, George of Cyprus publicly declared that "the sixth of the holy ecumenical synods also decreed in a clear and precise manner about the holy icons. It spoke about them as follows: "In certain representations of the holy icons a lamb is painted to which the Precursor points his finger,..."¹⁸ Of course, this is the 82nd canon of the Trullan Synod, referred to with the name of the Sixth Ecumenical Synod.

Referring to canon 82 of the Synod of 691, Pope Hadrian I himself (772-795) wrote to the Patriarch of Constantinople Tarasios (784-806) the following: "... the same six holy synods I accept, with all the canons decreed by them in a lawful and divine manner..."¹⁹ The letter of Pope Hadrian I was even read in the Seventh Ecumenical Synod (787). Even the Synod of the Church of Rome in the year 878, presided over by Pope John VIII (872-882), made clear mention of the "*regulas... a sexta synodo ... editas*"²⁰ ("the canons... edited ... by the sixth synod")

Therefore, as much in the Western as in the Eastern world of the eighth and ninth centuries, the Synod of 691 was regarded as the Sixth Ecumenical Synod, and its canonical legislation considered as having a corresponding weight.

Lastly, it is worth mentioning that the Synod of 691 bears the appellation "Sixth Ecumenical Synod" even in the Orthodox canonical collections of our times. For example, the well-known canonist Dr. Nikodim Milash (1845-1915), Bishop of Zara (Dalmatia), attributed the 102 canons of the Synod of 691, to "the Sixth Ecumenical Synod."²¹ Otherwise, even the canonists Ralles and Potles, in the middle of the nineteenth century, considered the canons of the Trullan Synod as the work of the Sixth Ecumenical Synod: "... and them (the canons) which the Sixth Ecumenical Synod decreed."²² Quite correctly then, Metropolitan Pavlos Menevisoglou of Sweden asserts that: "generally speaking, in the Eastern Church the

¹⁷ Ibid. 1417-18, n. 43.

¹⁸ The "*Nouthesia*" by George of Cyprus (before 754): See G. Dumeige, *Histoire des Conciles Oecumeniques* (Paris, 1978) 4, p. 235.

¹⁹ *Mansi*, 12, col. 1079.

²⁰ Ibid. 982.

²¹ Nicodim Milas, *Canoanele Bisericii Orthodoxe inotite de comentarii* (in Romanian), 2 vol (Neoplanta, 1895-96). Romanian translation by V. Kovincici and N. Popovici, vol. 1, pt. 1 (Arad, 1930), p. 35 and p. 37; vol. 1, pt. 2, p. 301.

²² Ralles - Potles, *Σύνταγμα*, 2, p. 8.

Penthekte Ecumenical Synod was always regarded as ecumenical by all and the canons it decreed have an important place in the canon law of the Orthodox Church..."²³

The Byzantine canonist and historian (of the twelfth century), John Zonaras, commenting about the Trullan Synod, considered that: "... this is called sixth, because no debate took place about faith or dogmas so that it might be regarded as a separate synod, but it completed the *incomplete work of the sixth, that is to say, the editing of canons*; and because it was nearer to that one, it was numbered together with it."²⁴

The second session of the Sixth Ecumenical Synod is defined in the specialized literature by the appellations "Penthekte," "Quinisext," or "Trullan" ("in Trullo"). With the appellation "Penthekte"-"fifth-sixth," used by specialists centuries after the second session of the synod,²⁵ it is affirmed that this Synod was nothing more than the completion-in the domain of canonical legislation-of the Fifth (553) and Sixth (first session 680) Ecumenical Synods. According to the Byzantinologist Vitalien Laurent, the appellation "Penthekte" was the creation of the great canonist Balsamon (+1195).²⁶ In reality Balsamon writes that the Synod of 691 "is not mainly called Sixth, but "Penthekte," because it completed what was incomplete in the Fifth and Sixth Synods"²⁷. It is no less true, however, that Theodore Balsamon also calls the synod of 691 "ecumenical" in this way: "It is also ecumenical,"²⁸ or "this holy and ecumenical synod,"²⁹ or "... the divine and ecumenical holy synod, which is also called Penthekte, gathered 'in the Trullo' of the great palace ...";³⁰ or "the 37th canon of the holy and ecumenical synod, gathered 'in the Trullo' of the great palace, named also "Penthekte."³¹ Similarly, when he comments on canon 55 of the Trullan Synod, he writes among other things: "... those of the old Rome say that

²³ Pavlos Menevisoglou, *Ιστορική εισαγωγή*, p. 298.

²⁴ Ralles - Potles, *Σύνταγμα*, 2, p. 294.

²⁵ See C. Dugange, *Glossarium ad scriptores mediae et infirmiae Graecitatis*, (Lugduni, 1688), col. 1145-46.

²⁶ See V. Laurent, "L'oeuvre canonique du Concile in Trullo (691-692). Source primaire du Droit de l'Église orientale," *Revue des Études Byzantines*, 23 (1965) 17, no. 42.

²⁷ Ralles - Potles, *Σύνταγμα*, 2, p. 300.

²⁸ Ibid.

²⁹ Ibid.

³⁰ Ibid. 4, p. 543.

³¹ Ibid. p. 554.

this synod is not ecumenical, as we have written in its preamble.”³² Furthermore, in his comment on the Trullan Synod of 691, Balsamon affirms that “... the Western bishops, that is to say, Italians and Latins, decisively hurt by the canons of this synod are opposed to it being ecumenical...”³³

In a recent study, Metropolitan Pavlos Menevisoglou names the synod of 691, “the Penthekte Ecumenical Synod....”³⁴

Concerning the appellation “Trullan” or “in Trullo,” it is certainly referring to the place of the gathering of the second session of the Sixth Ecumenical Synod. The name “Trullan,” “Ἡ Σύνοδος ἐν τῷ Τρούλλῳ” “Concilium in Trullo,” adopted due to the notes of the copyists on the manuscripts in East and West,³⁵ is met even in the present Orthodox³⁶ and Catholic canonical collections.³⁷ Consequently, the appellations or names ‘Penthekte’ and ‘Trullan,’ which define the second session of the Sixth Ecumenical Synod and have been associated with the canonical language of East and West, is still being used today.

³² Ibid. 2, p. 435.

³³ Ibid. p. 300.

³⁴ Pavlos Menevisoglou, *Ιστορική εισαγωγή*, p. 288, no. 2; p. 293, no. 8; p. 296; p. 299; See also Spyros N. Troianos, “Ἡ πενθέκτη οἰκουμένη συνόδος καὶ τὸ νομοθετικὸν τῆς ἔργου,” *Εκκλησία* 2 (1992), 3 (1992).

³⁵ Joannou, *Les canons*, p. 98.

³⁶ So, for example, in his canonical collection of 1991, edited in Thessalonike, Prodromos I. Akanthopoulos keeps the title “Κανόνες τῆς ἐν Κωνσταντινουπόλει Πενθέκτης Οἰκουμένης Συνόδου” (“The Canons of the Penthekti Ecumenical Synod in Constantinople”); see *Κώδικας*, p. 98.

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The Canons of the Sixth Ecumenical Synod Concerning Fasting and Their Application to the Present Needs of the Orthodox Faithful

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Of the 102 canons issued by the Sixth Ecumenical Synod in its second session in the year 691,¹ the 5th, the 29th, 52nd, 55th, 56th and 89th, refer to fasting² which will be dealt with as follows:

Canon 29: Fasting, an Indispensable Condition of the Celebration of the Holy Eucharist

Canon 41 of Carthage foresaw that once a year, on Holy Thursday, the Holy Eucharist could also be celebrated by priests who had already eaten.³ This practice was followed especially by the churches of Asia Minor.

¹ Concerning the date of the Trullan Synod (691), see my article in the present volume: *Some Specifications with Regard to the Date and Names of the Second Session of the Sixth Ecumenical Synod*.

² About fasting in the Orthodox Church, see Archimandrite Akakios, *Fasting in the Orthodox Church* (Etna, CA, 1990) p. 107.

³ Canon 41 of Carthage: «Ὡστε ἅγια θυσιαστηρίου, εἰ μὴ ἀπὸ νηστικῶν ἀνθρώπων, μὴ ἐπιτελεῖσθαι, ἐξηρημένης μᾶς ἐτησίας ἡμέρας, ἐν ᾗ τὸ κυριακὸν δεῖπνον ἐπιτελεῖται» Such a decision of the Fathers of the Synod in Carthage through Canon 41 was justified by Zonaras as follows: "It is said that the Fathers of the Synod in Carthage decreed the celebration of the Holy Eucharist by non-fasting because the Lord is said to have celebrated the Pascha of the law with his disciples before giving over his own spiritual Pascha, and so the Apostles had not fasted when they received the latter, because they had already eaten the Pascha of the law. According to this form, therefore, the Fathers of the Synod in Carthage decreed the celebration of the Holy Eucharist on Thursday of Holy Week in this manner (G. A. Ralles, – M. Potles., *Σύνταγμα τῶν θείων καὶ ἱερῶν κανόνων* (Athens, 1852), 2, p. 368). In the same way, Balsamon in his commentary on Canon 41 of Carthage makes a distinction between "The Pascha of the Law" and "the spiritual Pascha" (ibid.) in order to justify this decision of the synodal fathers.

Conforming to the principle of *akriveia*, the Fathers of the Penthekte Synod amended Canon 41⁴ of Carthage, by means of Canon 29. Hence, in conformity with the provision of Canon 29 of the Penthekte, it was decreed that the clergy should fast whenever they celebrate the Holy Liturgy. Although "nobody obliges us," confessed the Holy Fathers of the Synod "in Trullo" in Canon 29, "to abandon *akriveia*, we decide, following the traditions of the Apostles and the Fathers, not to absolve fasting on the last Thursday of Lent in order not to dishonor the whole of Lent."⁵

It is true that this *akriveia* of the Fathers, so explicitly mentioned by the Fathers of the Synod "in Trullo" (concerning the strict observance of the provisions of the canons) was in full accord with Apostolic Canon 60 and the Laodicean Canon 50. Canon 69 stipulated the Lenten fast as well as that of Wednesdays and Fridays as obligatory.⁶ In addition, the Laodicean Canon 50 stipulates: "We must not in Lent's last week absolve Thursday's fasting and hence dishonor the whole of Lent, but one must fast with dry food during all of Lent."⁷

This application with strictness (*akriveia*) of the canons, which is clearly mentioned by the Fathers of the Synod "in Trullo" themselves in Canon 3,⁸ was in fact in accordance with the provisions of Canon 47 of Carthage (419). Canon 3 consisted of Canon 37 of the Synod in Iponia (393) and Canon 1 of the Synod in Carthage (397), which noted that "...it is true that the holy Eucharist celebrated after dinner is offered by those who fast, as it is becoming ..."⁹

So, according to the provision of Canon 29 "in Trullo," the Holy Liturgy can be officiated only by clergy who fast.

Finally, it is worth mentioning the fact that through the Latin translation of an African Canonical Collection (of the Church of Carthage) by Dionysius of Exiguus (+455), the Church of Rome has still remained sub-

⁴ Canon 41 of Carthage is, in reality, Canon 28 of Hippo (393).

⁵ See Prodromos I. Akanthopoulos, *Κώδικας ἱερῶν κανόνων καὶ ἐκκλησιαστικῶν νόμων* (Thessalonike, 1991), p. 130.

⁶ "Apostolic canon 69: «Εἴ τις ἐπίσκοπος, ἢ πρεσβύτερος, ἢ διάκονος, ἢ ὑποδιάκονος, ἢ ἀναγνώστης, ἢ ψάλτης, τὴν ἁγίαν Τεσσαρακοστὴν τοῦ Πάσχα οὐ νηστεύει, ἢ τετράδα, ἢ παρασκευὴν, καθαιρείσθω· ἐκτὸς εἰ μὴ δι' ἀσθένειαν σωματικὴν ἐμποδίζοιτο· εἰ δὲ λαϊκὸς εἴη, ἀφοριζέσθω.»

⁷ See Akanthopoulos, *Κώδικας* p. 284.

⁸ That is to say: "the canon of *akriveia* is to be kept" («τὸν τῆς ἀκριβείας τηρηθῆναι κανόνα»)

⁹ Akanthopoulos, *Κώδικας*, p. 320.

ject to the practice of permitting the clergy to celebrate the Holy Liturgy on Thursday of Holy Week, even without fasting.¹⁰

Canon 52: Lent and the Liturgy of the Presanctified Gifts

Taking into consideration the particular character of Lent, the Fathers of the Synod of Laodicea decreed in Canon 49¹¹ that during Lent the holy Liturgy should be offered only on Saturdays and Sundays. Thus, was established during the Lent the practice of keeping on the altar a part of the gifts sanctified during the Liturgy of Saturdays of Sundays so that the faithful could receive Holy Communion on weekdays. In order not to break the fast of Wednesdays and Fridays, the faithful received Holy Communion in the evening, after Vespers.¹² In this way, it was established that during Lent the Holy Liturgy of the Presanctified Gifts be celebrated on weekdays (Monday to Friday included), as it was normal and suitable to the atmosphere of the period of Lent.

Through Canon 52, the Penthekte Synod sealed this practice and the general usage of the Liturgy of the Presanctified Gifts, regulating that: "On all days of Lent, besides Saturdays and Sundays and the day of the Annunciation, the Liturgy of the Presanctified Gifts be celebrated."¹³

The canonists Zonaras and Balsamon, justifying such a rule, affirmed that it was not indicated to celebrate the complete Liturgy, that is to say, the Liturgy of Saint John Chrysostom or Saint Basil the Great on the days of Lent, which are days of "mourning," but that of the Presanctified Gifts. For example, Zonaras writes:

The days of fasting were set to be days of mourning and contrition, in atonement for one's sins... And how can one in the same time mourn and rejoice? That is why on the other days of Lent the Liturgy of the Presanctified Gifts should be celebrated so that the bloodless sacrifice not be made, but the sacrifice already offered and completed be brought. On Saturdays, however, and on Sundays, as fasting is not permitted, it is allowed to offer the sacrifice also and to celebrate the complete Liturgy. The same rule is valid for the day of the Annunciation.¹⁴

¹⁰ See Lic. Adolf Strewe, *Die Canonessammlung des Dionysius Exiguus in der Ersten Redaktion* (Berlin-Leipzig, 1931) p. 90.

¹¹ Canon 49 of Laodicea: «Ὅτι οὐ δεῖ ἐν τῇ Τεσσαρακοστῇ ἄρτον προσφέρειν, εἰ μὴ ἐν Σαββάτῳ καὶ Κυριακῇ μόνον.»

¹² See Ene Braniste, *Liturgica speciala pentru institutetele teologice* (in Romanian), (Bucharest, 1980), pp. 334-335.

¹³ See Akanthopoulos, *Κώδικας*, p. 148.

¹⁴ Ralles-Potles, *Σύνταγμα*, 2, p. 427.

Saint Nikodemos the Hagiorite considers that, “the Liturgy of the Presanctified Gifts was invented by the Fathers so that (Christians) may become partakers of heavenly life and grace deriving from Holy Communion on the fast days as well.”¹⁵

In the last century, a Russian canonist also justified the interdiction of celebrating a complete Liturgy – that of Saint John Chrysostom or of Saint Basil the Great – on Lenten days as follows: “so that the sorrow (of Lent) not be mixed with feasting, and humility with elevation, but that it be soothed and encouraged only by the Presanctified Gifts.”¹⁶

Canon 55: Observance of Older Rules of “Church Tradition” Concerning Fasting

It has been affirmed that the rich canonical legislation of the Penthekte Synod was intended to be a “code of laws against the abuses and errors of the Latins and Armenians of their time.”¹⁷ Among these errors were numbered certain practices concerning the observance of fasting.

Renewing the provision of Apostolic Canon 64,¹⁸ the Fathers of the Synod in Trullo condemned through Canon 55,¹⁹ the non-canonical practices concerning the observance of fasting in the Church of Rome. Because this Church fasted on “on Saturdays during Lent, contrary to the ecclesiastical rule handed down,” the Synod in Trullo decreed, “...that the Church of Rome should also apply this rule firmly...”²⁰ i.e., “Apostolic” Canon 66 which forbade fasting on Saturdays and Sundays of Lent.

¹⁵ Agapios Hieromonk – Nikodemos Monk, *Πηδάλιον*, 4th ed. (Athens, 1886) p. 220, note 1.

¹⁶ John, Bishop of Smolensk (+1869), *Opit cursa tserkovnagov zacnovedenia* (in Russian), (1851), 1, pp. 459-461; see also Nicodim Milas, *Canoanele Bisericii Ortodoxe insotite de comentarii* (in Romanian), vol. 1, pt. 2 (Arad, 1931), p. 421.

¹⁷ Said Elias Said, *Les Églises Orientales et leurs droits hier, aujourd'hui..., demain*. Preface by René Metz (Paris, 1989), Collection “Droit oriental,” p. 88; P. P. Joannou, *Les canons des conciles oecuméniques*, in *Fonti*, Fasc. 9, vol. 1, pt. 1 (Grottaferrata-Rome, 1962) p. 98.

¹⁸ «Εἰ τις κληρικὸς εὗρεθῇ τὴν Κυριακὴν ἡμέραν νηστεύων, ἢ τὸ Σάββατον, (πλὴν τοῦ ἑνὸς μόνου), καθαιρεῖσθω· εἰ δὲ λαϊκός, ἀφοριζέσθω.»

¹⁹ «Ἐπειδὴ μεμαθήκαμεν, τοὺς ἐν τῇ Ῥωμαίων πόλει, ἐν ταῖς ἁγίαις τῆς Τεσσαρακοστῆς νηστείας τοῖς ταύτης σάββασιν νηστεύειν, παρὰ τὴν παραδοθεῖαν ἐκκλησιαστικὴν ἀκολουθίαν· ἔδοξε τῇ ἁγίᾳ συνόδῳ, ὥστε κρατεῖν καὶ ἐπὶ τῇ Ῥωμαίων ἐκκλησίᾳ ἀπαρασαλεύτως τὸν κανόνα, τὸν λέγοντα· Εἰ τις κληρικὸς εὗρεθῇ τὴν ἁγίαν Κυριακὴν νηστεύων, ἢ τὸ Σάββατον, πλὴν τοῦ ἑνὸς καὶ μόνου, καθαιρεῖσθω· εἰ δὲ λαϊκός, ἀφοριζέσθω.»

²⁰ Mansi, 11, col. 969.

The theologian Hamilcar Alivizatos considered that in the Trullan Canon 55 "nothing extraordinary was said, neither in a violent nor an offensive expression against the Church of Rome is to be found."²¹ And, he continues, "not only in the letter of the canon, but also in its sense, one does not notice a polemic tendency against the Church of Rome. It is only with juridical tact and wisdom that the canon obliges the clerics and the laymen of the Church of Rome to abstain from the usage of fasting on Saturdays and Sundays."²²

Although the Fathers of the Penthekte Synod condemned, among other things, the non-canonical practices concerning fasting, these continued not only to exist in the Latin Church, but also "to arise from time to time in polemics"²³ between Rome and Constantinople. Thus, for example, the well-known dispute between these two Churches in the time of Patriarch Photius and Pope Nicholas I (858-867) also concerned fasting.

This happened even though in the Synod in Trullo (691) there participated representatives of Pope Sergius (687-701), who "either came for this purpose to Constantinople, or were permanent residents there as 'apokrisarioi.'"²⁴ On the other hand, Canon 3 of the Synod in Trullo refers to the "apokrisarioi" of Pope Sergios in Constantinople as "those of the holiest Church of Rome who intended to keep the rule of akriveia."²⁵ Also, in the Synod in Trullo in 691 there participated bishops under the canonical jurisdiction of the Pope from Eastern Illyricum and four bishops from Crete: Basilios of Gortyna, Nikitas of Kydonia, Sisinius of Chersonisos and Theopemptos of Kissamos.²⁶ Basilios of Gortyna signed the decrees of the Synod: "Basilios, Bishop of Gortyna, Metropolis of the Lord-loving Island of Crete and *locum tenens*"²⁷ of the whole synod of the Holy Church of Rome"²⁸ (Basilios episcopus Gortinae, metropolis Christum amantis

²¹ H. Alivizatos, "Les canons 13, 30, et 55 du Trullanum," in *Studi bizantini e neollenici*, vol. 5 (*Atti del 5 Congresso internazionale di Studi bizantini*, 20-26 settembre 1936, Rome, 1939) p. 585.

²² Ibid.

²³ J. M. Hussey, *The Orthodox Church in the Byzantine Empire* (New York, 1986) p. 27.

²⁴ P. Menevisoglou, *Ἱστορικὴ εἰσαγωγή εἰς τοὺς κανόνας τῆς Ὁρθοδόξου Ἐκκλησίας* (Stockholm, 1990), p. 297.

²⁵ Mansi, 11, col. 941.

²⁶ See Menevisoglou, *Ἱστορικὴ*, p. 288.

²⁷ About the various explications of the expression "τὸν τόπον ἐπέχων" (*locum tenens*) in the signature of Basilios of Gortyna, see P. Menevisoglou, *Ἱστορικὴ*, p. 288, n. 2.

²⁸ Ibid. pp. 288-89.

Cretae insulae et locum tenens totius synodi sanctae Romanae Ecclesiae).²⁹ He was the same Basilios of Gortyna who participated in the first session of the Synod in Trullo (680-681) as legate of the Synod of the Church of Rome convened in 680. In the Synod in Trullo (680-681), Basilios of Gortyna signed: "Basilios, unworthy bishop of the Metropolis of Gortyna of the Island Crete, and legate of the whole holy synod of the Apostolic throne of the elder Rome."³⁰ This fact caused the canonist Metropolitan Pavlos Menevisoglou to consider among others that Basilios of Gortyna "used this status" — that is to say, the status of legate of the whole Synod of Rome — "in the Penthekte Ecumenical Synod as well, because he considered it the continuation (συνέχεια) of the Sixth Ecumenical Synod previously convened in the same assembly room of the 'royal palace.'"³¹ Here of course, we could also underline the fact that bishop Basilios himself, according to Pavlos Menevisoglou, considered the Synod of 691 "συνέχεια" of that of 681-681.

Even today, Catholic historians and canonists try to justify Rome's non-acceptance of the decisions of the Synod of 691 with regard to fasting, invoking the fact that the Pope, as well as the bishops of Thessalonike, Sardinia, Ravenna, Herakleia of Thrace, and Corinth, did not sign the Acts of the Synod³² and that the "apokrisarios" of the Pope, bishop Basilios of Gortyna "involved only his person."³³ It was affirmed, incorrectly, that "the legates of the Apostolic throne" — mentioned in the Vita Sergii — signed after having been coaxed (ὑπέγραψαν πλανηθέντες)³⁴ and that in reality they were "the apokrisarioi residing in Constantinople, without any mandate for the Synod."³⁵ Of course this justification is groundless in reality,

²⁹ Mansi, 11, col. 989.

³⁰ Ibid., col. 669.

³¹ Menevisoglou, *Ιστορική*, p. 288, n. 2.

³² See Albert Failler, book review of Heinz Ohme, *Das Concilium Quinisextum und seine Bischofsliste. Studien zum Konstantinopeler Konzil von 692* (*Arbeiten zur Kirchengeschichte*, 56) (1990), in *Revue des Études Byzantines* 49 (1991) p. 287.

³³ Joannou, *Les Canons*, p. 99.

³⁴ L. Duchesne, *Liber pontificalis*, vol. 1 (Paris, 1886), p. 372; see also Mansi, 12, col 3. Here it is worth noting that Duchesne did not contest the truthfulness of the affirmations "λεγάτοι τῆς ἀποστολικῆς ἑδρας... ὑπέγραψαν πλανηθέντες" (*Liber pont.*, p. 378, n. 18).

³⁵ Joannou, *Les Canons*, vol 1, pt. 1, p. 99. It is worth noting that V. Laurent considered that in the year 691, there was in Constantinople only one "apokrisarios" of Rome, that is to say, Bishop Basilios of Gortyna, and, consequently, Vita Sergii refers to the hierarch of Crete when it notes that "λεγάτοι τῆς ἀποστολικῆς ἑδρας... ὑπέγραψαν πλανηθέντες." V. Laurent, "L'oeuvre canonique du Concile in Trullo

because there exists irrefutable evidence about the Church of Rome's reception of the canonical legislation of the Synod in 691. Besides, informative and documentary sources themselves immediately after the Synod of 691 show evidence that not only did the Popes John VII (705-707), Constantine (715), and Gregory II (715-731)³⁶ make clear mention of the canons of the Synod in Trullo, but also that Emperor Justinian II (685-695 and 705-711) sent to Pope John VII himself a copy with the text of the 102 canons of the Synod in 691.³⁷ It is also worth mentioning that about the year 860, Anastasios the librarian—although so hostile to the Synod of 691 and its canons—considered then as “*sextae universalis Synodi Canonibus*.”³⁸ In addition, according to the witness of Anastasius the librarian, even Pope John VIII (872-882) accepted (“*admittit*”) the canons of the Synod of 691 which did not contravene the preceding canons and decisions of Rome.³⁹ Besides, monk John Gratian, professor at the University of Bologna (12th c.), included in his *Concordantia Discordantium Canonum* (*A Harmony of Discordant Canons*)—known as *Decretum Gratiani* (*Gratian's Decree*)⁴⁰—seventeen canons of the Synod of 691.⁴¹ After that, western medieval canonists, as well as the Popes themselves and the pontifical chancellery, always considered these canons as the work of the Synod in Trullo, i.e., of the Sixth Ecumenical Synod.⁴² And, of course, there is no need to mention the Latin manuscripts in which it is explicitly stated that: “πάπας οὐ παρῆν δι' ἐπιστολῆς δὲ καὶ αὐτός εἰς πάντα συνέθετο” (mss. A

(691-692). Source primaire du Droit de l'Église orientale,” in *Revue des Études Byzantines* 23 (1965), pp. 14-15.

³⁶ So, for example, Pope Gregory II (715-31) praises the Synod in Trullo for its canon 82, in a letter addressed to Patriarch Germanos I of Constantinople (715-30). See Mansi, 13, col. 93.

³⁷ See Franz Görres, “Justinian II und das römische Papstum,” *Byzantinische Zeitschrift*, 17 (1908) pp. 452-453; Joannou, *Les Canons*, pp. 99-100.

³⁸ Mansi, 12, col. 982.

³⁹ See *ibid.*: “*ergo regulas, quas Graeci a Sexta Synodo perhibent editas, ita in hoc Synodo principalis sedes admittit, ut nulatenus ex his illae recipiantur, quae prioribus canonibus vel decretis Sanctorum fedis huius pontificum, aut certe bonis moribus invenientur adversae.*”

⁴⁰ About John Gratian and the use of his *Decretum* in the Roman Catholic Church, see James A. Coriden, *An Introduction to Canon Law* (London, 1991) pp. 17-18.

⁴¹ The seventeen canons of the Synod of 691 included by Gratian in his *Decretum* were: 2, 4, 6, 7, 9, 11, 13, 15, 17, 23, 26, 27, 28, 31, 32, 35, 36.

⁴² See Laurent, *L'oeuvre*, p. 37; E. Friedberg, *Corpus iuris canonici*, vol. 1 (Leipzig, 1879) p. xx.

Vati)⁴³ (“the pope was not present, but by letter he himself also consented to everything.”

The Church of Rome’s non-acceptance of all the canons of the Synod of 691 is due to the fact that certain of these canons, as for example the present Canon 55, were contrary to the practices and traditions of the Western Church. More precisely, Rome did not like at all six canons of this Synod, numbers 2, 13, 36, 55, 67, and 82. So, “exactly because of these six canons, the attitude of the Western Church towards the canons decreed by the Penthekte Ecumenical Synod was generally cautious.”⁴⁴

It is interesting, at the same time, to underline that the “Apostolic” canons also did not find a large reception in Rome, due to the fact that they condemned many of the liturgical practices in use by the Church of Rome. This was one of the reasons why Dionysius Exiguus from Scythia Minor (Dacia Pontica)⁴⁵ translated into Latin only the first fifty “Apostolic” canons.⁴⁶ Among the “Apostolic” canons which condemned such non canonical liturgical practices of the Church of Rome, we count, for example, even Canon 4 of the version of Dionysios Exiguus, accepted by Rome. In fact, “Apostolic” Canon 4 stipulated that “offeri non liceat aliquid ad altare praeter novas spicas et uvas et olem ad luminaria et tymiama, id est incensum, tempore quo sancta celebratur oblatio”⁴⁷ (It is not allowed to offer at the altar anything else besides new ears of corn and grapes and oil for the lamps and incense, that is to say, for incensing during the Holy Sacrifice). However, according to the *Liber Pontificalis* drafted in its first version in the 6th century, the offerings at the altar were limited only to grains of wheat and grapes.⁴⁸ Also, even the Gelasian Sacramentary attributed to Pope Gelasios (492-496) stipulated the blessing only of grains and grapes.⁴⁹

⁴³ Joannou, *Les Canons*, p. 99.

⁴⁴ Menevisoglou, *Τοτορική*, p. 299.

⁴⁵ About Dionysios Exiguus alias Pseudo Areopagites, see Gheorghe Dragulin, *Identitatea lui Dionisie Pseudo-Areopagitul cu ieromonahul Dionsie Smeritul* (Exiguul) (in Romanian) (Craiova, 1991).

⁴⁶ See Nicolae Dura, “Straromânul Dionisie Exiguul (465-545) si opera sa canonica. O evaluare canonica a contributiei sale la dezvoltarea Dreptului bisericesc” (in Romanian) *Ortodoxia*, 41 (1989) 4, pp. 37-61.

⁴⁷ Strewe, *Die Canonessammlung*, p. 4.

⁴⁸ Duchesne, *Liber*, I, p. 159.

⁴⁹ *Le Sacramentaire gélasien*, ed. Antoine Chavasse (Tournae, 1958) p. 464.

Canon 56: Necessity to Ensure Uniformity in Ecclesiastical Usage Pertaining to Lent

The Fathers of the Synod in Trullo also introduced the necessary corrections with regard to fasting contrary to the non-canonical fasting practices of the Church of Armenia at that time. In Canon 56,⁵⁰ the Fathers of the Synod in Trullo decreed the principle according to which "...the Church of God in the whole oecumene keeps fasting in the established manner."⁵¹ Condemning the non-canonical practice existing "...in the land of the Armenians also, and in other places,"⁵² i.e., including the Church of Rome, the synodal Fathers decreed "...that fasting be observed, and as they abstain from everything which is killed, so also should they, from eggs and cheese, which are the fruit and produce of those animals from which we abstain."⁵³ So, conforming to Canon 56 of the synod in Trullo, one must abstain from whatever is above enumerated, "and if one does not observe that"—that is to say, the rule fixed by the synodal Fathers—"if a cleric, he is to be deposed, if a layman, excommunicated."⁵⁴

With regard to the penance stipulated by Canon 56, we can ascertain that the Fathers of the Penthekte Synod followed the "Apostolic" tradition as reflected in "Apostolic" Canon 69,⁵⁵ which stipulates that in the event that a cleric does not fast during Lent, or on Wednesdays and Fridays, he must be deposed, unless he is hindered from fasting because of some bodily weakness; similarly, if laymen do not fast, they are to be excommunicated.

Through Canon 56, the Fathers of the Synod in Trullo not only did not introduce new rules concerning the observance of fasting and penances in the event of its non-observance, but they demanded a uniform application of the "Apostolic" rule in all the local Churches. At the same time, we ascertain that the Synodal Fathers applied just as much the principle of *oikonomia* (by consecrating the provision of "Apostolic" Canon 69 in the

⁵⁰ Canon 56 reads: 'Ωσαύτως μεμαθήκαμεν ἔν τε τῇ Ἀρμενίων χώρᾳ καὶ ἐν ἐτέροις τόποις, ἐν τοῖς σάββασι καὶ ἐν ταῖς Κυριακαῖς τῆς ἁγίας Τεσσαρακοστῆς, ψὰ καὶ τυρὸν ἐσθίειν τινάς. Ἐδοξε τοίνυν καὶ τοῦτο, ὥστε τὴν κατὰ πᾶσαν τὴν οἰκουμένην τοῦ Θεοῦ ἐκκλησίαν, μιᾷ κατακολουθοῦσα τάξει, τὴν νηστείαν ἐπιτελεῖν, καὶ ἀπέχεσθαι ὥσπερ θυτοῦ παντίου, οὕτω δὲ ψοῦ καὶ τυροῦ, ἃ καρπὸς εἰσὶ καὶ γεννήματα, ὧν ἀπεχόμεθα. Εἰ δὲ μὴ τοῦτο παραφυλάττοιεν, εἰ μὲν κληρικοὶ εἶεν, καθαιρεῖσθωσαν, εἰ δὲ λαϊκοί, ἀφορίζεσθωσαν.

⁵¹ Akanthopoulos, *Κώδικας*, p. 150.

⁵² Ibid.

⁵³ Ibid.

⁵⁴ Ibid.

⁵⁵ See *ibid.*, p. 42.

Trullan Canon 56), by permitting an interruption of fasting in case of bodily weakness (illness, accident, etc.).

Commenting on the Trullan Canon 56, Balsamon writes:

The Armenians and some other orthodox people...broke fasting on the mentioned Saturdays, and ate eggs and cheese, considered as not containing blood, but as fruit. So the Synod, correcting it, decreed that all the Churches of God should follow one usage and abstain from every sacrificed animal, and that, although eggs and cheese are considered produces, nevertheless, because they come from what we abstain from, we must not break the fast by eating them.⁵⁶

Besides, after mentioning the stipulation of the Trullan Canons 5, according to which clerics who broke the fixed fast were to be deposed, while laymen were to be excommunicated, Balsamon in the same comment adds the following: "In any case, those who break the fast by eating eggs and cheese on Wednesdays and Fridays should receive the same penance, because it has been established that on these days the faithful should fast, exactly as during Lent."⁵⁷ Undoubtedly, the affirmations of the canonist Balsamon fell into line with the canonical tradition of the early church, which was also expressed by the Fathers of the Synod of Gangra (340). Canon 19 of the Synod of Gangra stipulated: "If one of those who follow the ascesis, without any bodily need, becomes proud and breaks the fasting usage transmitted to the community and observed by the Church, while he is entirely sane, let him be anathema."⁵⁸

Canon 89: The End of the Lenten Fast about the Middle of Holy Saturday Night

In his pastoral letter addressed to Bishop Vasilies of Pentapolis (Lybia),⁵⁹ Saint Dionysios, Archbishop of Alexandria (248-265), who is mentioned quite clearly by the Fathers of the Synod in Trullo in Canon 2, answered: "...it is by all accepted that after the hour of our Lord's resurrection we must begin to feast and to rejoice, having until then humbled our souls through fasting."⁶⁰ Consequently, according to this pastoral letter (which

⁵⁶ Ralles-Potles, *Σύνταγμα*, 2, pp 436-437.

⁵⁷ Ibid. p. 437.

⁵⁸ See Akanthopoulos, *Κώδικας*, p. 230.

⁵⁹ The region of Pentapolis or Kyrinaiki consisted of "five ancient cities: Cyrene, Berenice, Arsinoë, Ptolemais and Appolonia, which were in Lybia." Akanthopoulos, *Κώδικας*, p. 688.

⁶⁰ See *ibid.*, p. 454.

represents Canon 1 of Saint Dionysios the Alexandrian), this in the moment when we must end fasting on Easter day.

Through Canon 89,⁶¹ the Fathers of the Synod in Trullo strengthened the canonical rule of Saint Dionysios the Alexandrian by affirming that pious Christians “after passing the days of the salutary passion fasting, praying, and in contrition of soul,” must end fasting “...about the middle of Holy Saturday night.”⁶²

With regard to the end of Lent, stipulated in Trullan Canon 89, Zonaras affirms: “...about the middle of the night of Saturday, at the break of Sunday,” the present canons “exhorts us to end fasting.”⁶³ Therefore, according to Zonaras, the Lenten fast ends at the break of Easter Sunday.

Saint Nikodemos the Hagiorite wrote at the end of the eighteenth century, that “...Christians after midnight must first of all listen to the whole matins of the Resurrection, wait for the Divine Liturgy to end and after that break the fast and have the Paschal meal in delight and joy.”⁶⁴ Saint Nikodemos’ prescription is practiced, in fact, in all Orthodox churches today.

THE CANONICAL PROVISIONS OF THE SYNOD IN TRULLO CONCERNING FASTING AND THEIR REAFFIRMATION, RENEWAL, AND READJUSTMENT TO OUR TIMES

As is well-known, the problem of application of the provisions concerning fasting in the Orthodox Church today has been treated in several Pan-Orthodox conferences and meetings during the last decades of our century. Undoubtedly, the mode of application of this kind of provision—through *akriveia* or *oikonomia*—implies, however, first of all, a profound knowledge of the canons and the Orthodox doctrine concerning fasting and, ipso facto, of the respective canons of the Synod in Trullo.

A careful and well-discerning examination of the last decisions of the Third Pan-Orthodox Pre-Synodal Conference in Chambésy (October 28 – November 6, 1986)⁶⁵ enables us to affirm that all the principal provisions

⁶¹ Canon 89 reads: «Τὰς τοῦ σωτηρίου πάθους ἡμέρας ἐν νηστεία καὶ προσευχῇ καὶ κατανύξει καρδίας ἐπιτελοῦντας, χρὴ τοὺς πιστοὺς περὶ μέσας τῆς περὶ τὸ μέγα σάββατον νυκτὸς ὥρας ἀπονησιτίζεσθαι, τῶν θείων Εὐαγγελιστῶν Ματθαίου καὶ Λουκᾶ, τοῦ μέν, διὰ τοῦ ὁπὲρ σαββάτων ῥήματος· τοῦ δέ, διὰ τοῦ Ὁρθοῦ βαθέος, τὴν βραδύτητα τῆς νυκτὸς ὑπογραφόντων.»

⁶² Akanthopoulos, *Κώδικας*, p. 170.

⁶³ Ralli-Potli, *Σύνταγμα*, 2, p. 513.

⁶⁴ Nicodemus, *Πηδάλιον*, p. 244, n.2.

⁶⁵ For an evaluation of the ecclesiological canonical decisions of this Pan-Orthodox Pre-Synodal Conference, see Nicolae V. Dura, “Hotărâre celei de-a III-a Conferințe

of the Synod of 691 concerning fasting are fully reaffirmed by the decisions of the Conference. Indeed, in its decisions, the third Pan-orthodox Presynodal Conference reaffirmed that "the Orthodox Church, undeviatingly aligned with the Apostolic decisions as well as the synodal canons of the whole Patristic tradition, has always declared the highest value of fasting for the spiritual life of man and for his salvation."⁶⁶ Nonetheless, the same Conference foresaw for each local Orthodox Church the right to apply the principle of *oikonomia* in order to soften the harshness of fasting, "either for personal reasons (illness, military service, work conditions, life in Diaspora, etc.) or for more general reasons (special conditions existing in some countries concerning climate, the impossibility of finding food for fasting and the social structures)."⁶⁷

Evidently, the principle of *oikonomia* can be applied only temporarily by the local Church, because the latter does not possess doctrinal infallibility, while the Universal Church does. At the same time, if bishops as bearers of supreme Church authority have the right to proclaim ecclesiastical truth about fasting, it is, nevertheless, the entire Church Body that possesses this truth. That is why *oikonomia* should be applied, as the Patriarch of Constantinople Cyril IV (1711-13) correctly indicated: "with thorough reflection and whenever needed and justified ... so that there does not occur in an easy and accidental manner a relaxation and reversal of the written canonical dispositions and ecclesiastical traditions and customs, nor a loss in vigor, and consequently an impediment to salvation and even perdition."⁶⁸

In our days, with regard to the softening of the harshness of fasting, the application of the principle of *oikonomia* imposes itself *particularly and imperatively* in the Orthodox Diaspora. This principle of *oikonomia*, applied also by the Fathers of the Sixth Ecumenical Synod in its canons, should find a larger application and expression in the life of Orthodox Christians without harming the principle of *akriveia* proclaimed by the

Panortodoxe Presinodale (Chambésy-Geneva, 28 octombrie-6 noiembrie 1986). O evaluare eclesiologico-canonica" (in Romanian) *Ortodoxia* 40 (1988) 2, pp. 75-98.

⁶⁶ «Τελικά κείμενα, αποφάσεις της Γ Προσυνοδικής Πανορθόδοξου Διασκέψεως (28 Οκτωβρίου - 6 Νοεμβρίου 1986)» *Επίσκεψις* 369 (15 December 1986) p. 6.

⁶⁷ *Ibid.*, p. 8.

⁶⁸ See P. Bratsiotis, P. Trembelas, K. Mouratidis, A. Theodorou, N. Bratsiotis *Ἡ Ἐκκλησιαστικὴ οἰκονομία. Ὑπόμνημα εἰς τὴν Ἱ. Σύνοδον τῆς Ἐκκλησίας τῆς Ἑλλάδος* (Athens, 1972), pp. 25-26.

same Fathers in their canons. Nevertheless, the measure in application of these two principles (*akriveia* and *oikonomia*) is conditioned not only by the pastoral issues of the Diaspora (conditions of life, climate, food, political, social and religious structures, mixed marriages, etc.), but also by the efficacy of the pastoral activities of the hierarchs and particularly of the spiritual fathers, who have the imperative obligation to know thoroughly the Tradition and Orthodox Canonical Teaching concerning fasting. However, it is not less true that their pastoral sensitivity (Canon 102 of the Sixth Ecumenical Synod) will have an important role in the application of the principle of *akriveia* or that of *oikonomia*, a principle which is all the more required in order to cope with the issues of the present life. In fact, the Third Pan-Orthodox Pre-Synodal Conference itself foresees the necessity of the application of the principle of *oikonomia* especially "in these fasts, for which there has been no uniform tradition and act in the Church for all times and cases."⁶⁹ In this matter, however, it is worth considering the correct proposition of His Grace Bishop Pierre L'Huillier, in the Fifth International Congress of the Society of Law of the Eastern Churches, in Thessalonike in 1981. Specifically, Bishop Pierre makes some clarifications not only with regard to the nature of *oikonomia*, but also, and especially, with regard to the field of its application.⁷⁰

In the context of such a pastoral requirement, particularly in the Diaspora, it would be a welcome sign if the future Great and Holy Synod of the Orthodox Church dealt as well with the pastoral-canonical implications of fasting when it discusses the first issue of its agenda, the Orthodox Diaspora.⁷¹ In any case, however, apart from the Diaspora's pastoral problems and their eventual treatment by the future Great and Holy Synod, fasting remains for the Orthodox Christian of today who lives in the Diaspora, as Saint Basil the Great wisely writes: "the soul's protector, the body's truthful inmate, to those who strive for excellence a weapon, the athlete's training," because fasting, continues Saint Basil, "drives away temptations, calls to piety, is the inmate of sobriety, and the source of moderation. In battles it performs acts of valor, and in peace it instructs."⁷²

⁶⁹ "Τελικά κείμενα," p. 8.

⁷⁰ See Pierre L'Huillier, "Oikonomia in the Tradition of the Orthodox Church," in *Kanon* (The Society of the Law of the Eastern Churches, 5th International Congress, University of Thessalonike, 22-27 September, 1981), p. 1

⁷¹ See Nicolae V. Dura, "Temele celui de a IV-a Conferinta Panortodoxe presinodale în lumina doctrinei canonice ortodoxe" (in Romanian) *Mitropolia Banatului* 39 (1989) 1, pp. 20-28.

⁷² «Περὶ νηστείας», PG31, 172B. The text reads: «ψυχῆς ἀγαθὸν φυλακτῆριον, σώματι σύννοικος ἀσφαλῆς, ὄπλον ἀριστεύουσιν, ἀθληταῖς γυμνάσιον. Τοῦτο

OBSERVATIONS AND PERSPECTIVES

When one considers the content of the text of Canons 29, 52, 55, 56, and 89 of the Sixth Ecumenical Synod, one appreciates the preoccupation of the Holy Fathers to bring about the necessary amendments concerning the observance of fasting and uniformity of the same orthodox canonical practices in all the local Churches. Therefore, the Fathers of the Sixth Ecumenical Synod pursued the affirmation of a unified canonical discipline in regards to fasting and, ipso facto, of an ecclesiastical unity, by condemning and eliminating the existent non-canonical practices of their time. On the other hand, by decreeing the just mentioned canons, the Fathers of the Synod issued the provision concerning the fasting of clergy before the celebration of the Holy Liturgy of the Presanctified Gifts during Lent, the observance of older canonical fasting rules, and stressed the need of ensuring a unified ecclesiastical fasting practice (stipulation of its duration included) in all the local Orthodox Churches.

The provisions introduced by the Synod in Trullo certainly remain normative not only for penitential discipline, but also for the observance of fasting in general. In the latest Code of Canon Law⁷³ of the Catholic Church, in 1983, (Canons 1249, 1250, 1251, 1252, and 1253⁷⁴), the provisions for the observance of fasting introduced by the Sixth Ecumenical Synod are reaffirmed (fasting days, their duration, adaptation to each country's particularities by the bishops' conferences, etc.), without, however, any reference to the canons decreed by ecumenical synods or local synods.

With regard to the content of the canons of the Sixth Ecumenical Synod, I would like to point out that it could serve as informative and documentary material of utmost importance for the topics of future Pan-Orthodox meetings as well. Undoubtedly, however, the text of the canons of the Penthekte Synod concerning fasting can be adapted to the needs of our times, under the condition that, by doing so, the principles stated by them not be distorted. Moreover, the sphere of application of the relevant can-

πειρασμοῦς ἀποκρούεται, τοῦτο ἀλείφει πρὸς εὐσέβειαν, νήψεως σύνοικος, σωφροσύνης δημιουργός. Ἐν πολέμοις ἀνδραγαθεῖ, ἐν εἰρήνῃ διδάσκει.»

⁷³ See Ioan Dura, "Noul Cod de Drept canonic al Bisericii Catolice (25 Ianuarie 1983)" (in Romanian) *Ortodoxia* 38 (1986) 2, pp. 159-160; See also Nicolae Dura, "Noul Cod Canonic al Bisericii Romano Catolice, Reflectii ale canonistilor si ecleziologilor catolici," *Ortodoxia* 35 (1983) 4, pp. 621-25.

⁷⁴ See *Code de Droit Canonique*. Texte officiel et traduction française (Vaticane, 1983) p. 215.

ons may be enlarged through *oikonomia*, an enlargement which the third Pan-Orthodox Pre-Synodal Conference has accepted, in the spirit of the practice observed at all times by the Orthodox Church. And, as a matter of fact, in responding to the needs of the faithful in all times, the Orthodox Church has always manifested its indulgence with regard to the duration and intensity of fasting, authorizing spiritual fathers to apply the principle of *oikonomia* (Apostolic Canon 69; Trullan Canon 102; Canons 6, 7, and 43 of Carthage; and Canon 10 of Timothy of Alexandria).⁷⁵

Besides, examining the past of Orthodoxy, we realize that

in fact, no one in Byzantium ever denied the principle of *oikonomia*; rather, everyone agreed with Eulogios, Patriarch of Alexandria (581-607), when he wrote: 'One rightly can practice *oikonomia* whenever pious doctrine remains unharmed.' In other words, *oikonomia* concerns the practical implications of Christian belief, but it never compromises with the truth itself.⁷⁶

Certainly in the Orthodox Church of the post-Byzantine era and until the present day, Church *oikonomia* has always been used for the salvation of Christians. The well-known Patriarch of Jerusalem Dositheos affirmed that: "Church matters are considered in two manners: according to *akriveia* and according to *oikomia*."⁷⁷ In his turn, Saint Nikodemos the Hagiorite wrote: "Two types of administering and restoring are practiced in the Orthodox Church. The one is called *akriveia*, the other *oikonomia* and Condensation; by them the spiritual *oikonomoi* (i.e., priests) minister to the salvation of souls, using sometimes the one and sometimes the other."⁷⁸ Quite correctly, therefore, it can be affirmed that: "*Akriveia* and *oikonomia* of the same pastoral diakonia and authority of the Church."⁷⁹

We can, therefore, conclude that the canons of the Sixth Ecumenical Synod with regard to fasting constitute a canonical and ecclesiological basis for the reaffirmation, renewal, enlargement, and adaptation of the canonical provisions stated by the Holy Fathers to the needs of the present,

⁷⁵ See Nicolae V. Dura, "Îndatoririle credincioșilor privind viața creștină în lumina Sfințelor Canoane" (in Romanian) in *Îndrumător bisericesc misionar și patriotic* (Editat de Arhiepiscopia Tomisului și Dunării de Jos) (Galatsi, 1988), 4, p. 97.

⁷⁶ John Meyendorff, *Byzantine Theology: Historical Trends and Doctrinal Themes* (New York, 1974), p. 90.

⁷⁷ "Letter to Mihail of Belgrade, May 1706," in C. Delikanis, *Πατριαρχικά Έγγραφα* (Constantinople, 1905), 3, p. 648.

⁷⁸ *Πηδάλιον*, (Athens, 1957), p. 53, note.

⁷⁹ Panagiotis I. Boumis, *Κανονικόν Δίκαιον*, vol. 1 (Athens, 1989), p. 56.

and not grounds for an ecclesiastical reform of fasting. At the same time, now, as we celebrate the 1,300th anniversary of the second session of the Sixth Ecumenical Synod of 691, we are called to remember also the importance and the contribution of the session and, hence, of its 102 canons, to the development of the human spirit and to the spiritual perfection of the Church's members. All the more, we must not forget that the First Ecumenical Synod, represents, as recently affirmed by the philosopher Constantin Noica, "the beginning itself of the European Culture."⁸⁰ Therefore, with the First Ecumenical Synod, the Church "began" the great "adventure" of European Culture, which succeeding Ecumenical Synods were to continue and develop.

⁸⁰ Constantin Noica, "Cînd începe cultura europeană" (in Romanian) *România literară*, 4 November 1986, p. 19.

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The Causes of the Conflict about the Quinisext Council: New Perspectives on a Disputed Council

HEINZ OHME

Few events of the Church's history have been such an abiding topic of polemical and theological discussion as the council which Justinian II called in the domed hall (Trullos) of the imperial palace in Constantinople in 691/2 to deal with the canonical deficits of the Fifth and Sixth Ecumenical Councils.¹ Already in 1054 the Quinisext Council served as a justification for schism for the spokesmen of ecclesio-political polemics. While Niketas Stethatos² used the Trullan canons to challenge the Azymes, the western practice of fasting and celibacy, Cardinal Humbert rejected these canons for the Latin church since Rome supposedly had never accepted them and until then also had not allowed them because they were null and void.³

The significance given to the Quinisext at the time of the Great Schism let theologians of the Byzantine empire shortly thereafter underline the ecumenicity and the autonomy of this synod.⁴ The great Canonists of the twelfth century, Ioannes Zonaras and Theodoros Balsamon, continuously

¹ From this basic information come the standard titles of the council, which will also be used in this article: Trullanus, the council in the Trullos, Quinisextum and Penthekte.

² In his *Dialexis*. Cf. A. Michel, *Humbert und Kerullarios. Quellen und Studien zum Schisma des XI. Jahrhunderts*, 2 vols. (Paderborn, 1924 and 1930), 2, pp. 333, 15 ff.; 335, 14 f.; 337, 1 ff.; 339, 20 ff.; Patriarch Michael Kerullarios had already similarly applied c. 11 against the Azymes, *ibid.*, 238, 12.

³ 'Capitula quae nobis sub ejus (scil. sextae synodi) auctoritate opponitis omnino refutamus, quia prima et apostolica sedes nec aliquando ea accepit nec observat hactenus; et quia aut sunt nulla, aut ut nobis libuit, depravata sunt.' (PG 120, 1030A).

⁴ At one point the "Panoplia" attributed to Michael Kerullarios put the accent thus: ὁ πρῶτος κανὼν τῆς ἐν τῷ Τρούλλῳ γεγονυίας οἰκουμενικῆς ἁγίας συνόδου οὕτως διέξεσιν... (Cf. Michel, *Humbert*, p. 215, 15).

emphasized the ecumenicity of the Quinisext.⁵ It was Matthaios Blastares, with an exhaustive section of his *Syntagma* of 1335 and the given title "Holy and Ecumenical Council"⁶ who took this evaluation to its logical conclusion. This has remained the standard evaluation of the Trullanum in Orthodox theology to the present.⁷

Roman Catholic theologians have given considerable attention to the Quinisext since the time of the Counter-reformation with the production of bilingual editions of the councils and related research into conciliar history, above all with the *Editio Romana*⁸ (1608-1612). In their judgement, they remained without exception committed to the polemics of the eleventh century. This line runs from S. Binius,⁹ the first editor of a conciliar collection after the *Editio Romana*, to Chr. Lupus,¹⁰ J. S. Assemani,¹¹ and on to C.J. Hefele,¹² J. Hergenröther,¹³ L. Bréhier,¹⁴ and

⁵ They treated the topic, however, under the title: *Περὶ τῆς λεγομένης ἑκτῆς συνόδου*. Cf. G.A. Rhalles- M. Potles, *Σύνταγμα τῶν Θείων καὶ Ἱερῶν Κανόνων*. Vols. 1-6 (Athens, 1852-1859) 2, pp. 294, 300 ff.

⁶ *Περὶ τῆς ἁγίας καὶ οἰκουμένης πενθέκτης συνόδου*, Rhalles-Potles, 6, 23f.

⁷ Cf. e.g. *Τὰ δογματικά καὶ συμβολικά μνημεῖα τῆς Ὁρθοδόξου Καθολικῆς Ἐκκλησίας* (Athens 1960) 1, p. 225; Karmiris understands that this title does not correspond to the earliest tradition. B. Th. Stavrides, *Ὁ συνοδικὸς θεσμὸς εἰς τὸ Οἰκουμένικόν Πατριαρχεῖον* (Thessalonike, 1986), p. 366.

⁸ *Conciliorum Generalium Ecclesiae Catholicae*, Tomus 1-4, Pauli V. Pont. Max. Auctoritate Editus (Rome, 1608-1612).

⁹ According to his notations, which were reprinted in later editions, he treats the canons of 692 as resolutions 'a quodam conciliabulo,' 'alicujus pseudosynodi sextae.' *Concilia Generalia et Provincialia III* (Cologne, 1618), p. 263.

¹⁰ In his widely read six volume commentary on the canons, he took the usual position with the words: 'Respondeo hanc synodum passim vocari Erraticam Trullanum.' *Synodorum generalium ac provincialium Decreta et Canones...* (Louvain, 1665), 2, p. 1074. The accusation of heresy was only a short step for him: 'Marianus Scotus addit esse haereticam. Nec sine causa' (p. 1075).

¹¹ In his standard work about Eastern Church law, he concluded: 'verum... oecumenica certe neque fuit, neque esse potuit.' *Bibliotheca Iuris Orientalis Canonici et Civilis* (Rome, 1766), 5, p. 85.

¹² "Die Trullanischen Kanones streifen ganz nah an Häresie an," *Konciliengeschichte* (Freiburg, 1873), 3, p. 345.

¹³ In some of the canons he saw evidence of 'die innere geistige Schwäche des Orients'; apart from that, the Quinisext in the Occident was in any case 'niemals ... anerkannt.' *Photius, Patriarch von Konstantinopel* (Regensburg, 1867), 1, pp. 218-20.

¹⁴ The exclusive and intransigent character of the canons could be a major reason for the Schism of 1054. Thus in: A. Fliche and V. Martin, *Histoire de l'Église* (n. p., 1947), 5, p. 474.

and W. M. Plöchl.¹⁵ Rapprochement concerning the Quinisext between the Orthodox and the Roman Catholic churches has, as far as I can see, so far not taken place.¹⁶ But this topic is hardly obsolete for the churches of the Reformation. As a part of western Christianity—co-participants in dialogue with Orthodoxy—the Quinisext is also a part of their history.

In an ecumenical age some 1300 years after that council, it should be possible to look at its history without polemical prejudices. When one simply asks what actually took place, one serves not only the interests of historical scholarship, but also those of ecumenism. We want to approach this historical conflict in three steps: 1. What view of the council can we gain from the oldest sources besides the council records? 2. What can we learn from the council's records themselves? 3. What was the cause of the conflict about the Quinisext?

The Council in the Earliest Reports

One should not ignore the fact that the conflict about the Quinisext did not begin with the Schism of 1054, nor was it fought along the front between the eastern and western branches of the Church. Rather, the council and its significance were disputed from the beginning and its position even in the east was unclear for a long time.

To begin with, the few available Greek sources for this period, besides the minutes of the council, either do not mention it or discuss it as marginal. This is the case with the *Χρονογραφία*¹⁷ of Theophanes Homologetes (752 or 760-818), written between 810 and 814 and the *Ἱστορία Σύντομος*¹⁸ of Nikephoros the Patriarch (758-829, 806-815).¹⁹

¹⁵The Quinisext is for him a 'Markstein der Trennung und des Partikularismus.' *Geschichte des Kirchenrechts* (Vienna, 1960), 1, p. 22. This attitude is shared by the renowned *Lexikon für Theologie und Kirche* in its articles "Konzil" and "Konstantinopel V. Ökumenische Konzilien," which do not refer to the problems posed by the Quinisext. Cf. *LthK* 6, pp. 525ff, 495ff.

¹⁶The Quinisext has scant attention paid to it in recent research on conciliar history. Only V. Laurent has devoted careful research to it in his foundational 1965 article: "L'oeuvre canonique du concile in Trullo (691-692). Source primaire du droit de l'Église orientale," *REB* 23 (1965), 7-41. Cf. now H. Ohme, "Das Concilium Quinisextum und seine Bischofsliste. Studien zum Konstantinopeler Konzil von 692," *Arbeiten zur Kirchengeschichte* (Berlin/New York, 1990), 56, (= Ohme, "Quinisextum").

¹⁷Theophanis Confessor, *Chronographia* 284-313, ed. C. de Boor, 2 Vols. (Leipzig, 1883), (Hildesheim, 1963).

¹⁸*Nicephori Archiepiscopi Constantinopolitani Opuscula Historica*, ed. C. de Boor (Leipzig, 1880).

¹⁹In both works of H. Hunger, *Die Hochsprachliche Profane Literatur der Byzantiner*, 2 vols. (Munich, 1978), pp. 334-339, 344-347.

Both were written more than one hundred years after the council, and both used early Byzantine historians as unknown sources.²⁰ The exceptionally negative impression of Emperor Justinian II (685-695, 705-711) appears to come from these sources.²¹ It has even been described by one as a "case of historiographical hostility."²² At any rate, Nikephoros never mentions the council in his *Breviarium*.²³

Theophanes Homologetes cites word for word two passages from canon 3 on second marriages for clergy.²⁴ He is, however, only interested in this

²⁰ Ibid, 337. "Für die Zeit bis 713 durfte Theophanes auch die Chronik des Traianos Patrikios verwertet haben" (ibid.). He was probably active during the reign of Justinian II. Cf. K. Krumbacher, *Geschichte der byzantinischen Literatur von Justinian bis zum Ende des oströmischen Reiches* (München, 1897), p. 322 f. The research by Ann S. Proudfoot, "The Sources of Theophanes for the Heraclian Dynasty," in *Byz.* 44 (1974), 3647-439, takes us no further in the present issue.

²¹ The portrait of Justinian based on this tradition has been classically taken up and presented by F. Görres, "Justinian II und das römische Papsttum," *BZ* 17 (1908), pp. 432-54, esp. 434-37.

²² C. Head, *Justinian II of Byzantium* (Madison, 1972), pp. 14-18, 15. Several reasons for complete lack of mention of the council in the "Historia syntomos" of the Patriarch would be evident if Nikephoros used the Chronicle of 713 [cf. L. Orosz, *The London Manuscript of Nikephoros 'Breviarium'* (Budapest, 1948)], which appears to originate from the time of Philippikos Bardanes (711-713) and was intended to justify the fall of Justinian II. The Quinisext was also apparently affected by the decisive rejection of the 6th Ecumenical Council by the Monothelite Philippikos, since its canons were regarded as decisions of just that council (cf. G. Ostrogorsky, *Geschichte des byzantinischen Staates* (Munich, 1963), p. 127; H.G. Beck, *Geschichte der orthodoxen Kirche im byzantinischen Reich* (Göttingen, 1980), p. 62. At the same time for Philippikos, the synodical memorial of Justinian II as the Emperor of the Trullanum would have been voided. (Thus, Head, *Justinian II*, p. 70.) Finally, the simultaneous invalidation of the 'anti-Armenian' canons of the Quinisext may have also played a role for the Armenian Bardanes.

²³ At another point (Apologeticus minor, PG 100, 845B-48B), the same Nikephoros speaks of the 'canons of the holy 6th ecumenical council' in the highest terms. For over 120 years (he thought), these proved their usefulness in the Church 'and the then Emperor Justinian worked and voted along with the bishops (Συνεργός σύμψηφος) and had reverently acted with that council, as his signature indicates' (Καί αὐτός περὶ τὴν εὐκλεᾶ καὶ ἀμώμητον ἡμῶν θρησκείαν εὐσεβῶν, διὰ τῆς ἰδίας ὑπογραφῆς δείκνυται: 845 C-D). Here we come upon an interesting, differently accentuated, portrait of this emperor than the one handed down in the chronicles.

²⁴ Cf. de Boor, pp. 361, 31-362, 4 on the laicizing of the unrepentant; 362, 4-9 on reinstating of clergy who have married after ordination, if they have annulled their marriages.

canon for the chronological information it contains,²⁵ from which he draws the wrong conclusion.²⁶ January 15th of the previous fourth indiction of the year 699 was mentioned there. This date is in fact the basis for dating the council, which, however, only indicates that it opened after September 1, 691 and before September 1, 692. A meeting in the early summer of 692 after Lent, Easter celebrations and spring storms, which would have hindered sea travel, is probable. More specific particulars about the Quinisext cannot be determined from Theophanes.

For the Venerable Bede (672/3-735), the Quinisext was a synodus erratica.²⁷ Bede's judgement upon the Trullanum appears to have taken shape without knowledge of Rome's position as it developed during the beginning of the Iconoclastic controversy. But the so-called letter of Pope Gregory II (715-731) to Patriarch Germanos I (715-730) sounds at the same time an almost completely different note. There we find the following noteworthy statement: "Sanctorum coetus Dei consilio hoc capitulum

²⁵ Cf. de Boor, p. 362, 1-2. On the issue of dating, cf. Hefele 3, p. 329; *DThC* 13, 2, 1581f. (G. Fritz). The oldest extant symbolic lists of the Byzantine council chronicles from the years 734 or 736 also give only 11 or 12 years between the sixth council and the Quinisext. On this cf. J. Munitiz, "Synoptic Byzantine Chronicles of the Councils," *REB* 36 (1978), 193-218, esp. 207, 212. This dating, which cannot be made more precise, does not mean that the council met from September 1, 691 to August 31, 692, as Stavrides (*Συνοδικὸς θεσμός*, p. 368) thinks, or A.N. Stratos (*Stratos* 5, p. 69) and Karmiris (*Δογματικά*, p. 225) before him.

²⁶ According to Theophanes, twenty-seven years lay between the Trullan Council and the Sixth Ecumenical Council: "ὥστε ἐξ αὐτῆς χρονικῆς ἀποσημειώσεως ἀριδιῆλως φαίνεσθαι συναγόμενα ἀπὸ τῆς ἁγίας οἰκουμένης ἑκτῆς συνόδου ἕως τῶν ἐκδεδομένων τύπων ἔτη κζ'," ed. de Boor, 362, 9-12. Between the Quinisext and Philippikos there were five years: "ἀπὸ δὲ τῶν ἐκδεδομένων τύπων ἕως τοῦ πρώτου ἔτους φιλιππικοῦ ἔτη ε' ", *ibid.*, p. 17. He also thought that the council itself may have taken place in the second year of the second period of Justinian II.: "ὡς εὐρίσκεσθαι ἐξ αὐτῶν τῶν ἐκδεδομένων τύπων β' ἔτει τῆς ἐσχάτης βασιλείας τοῦ αὐτοῦ ὀνοκοπημένου Ἰουστινιανοῦ," 361, 28-30.

²⁷ In his *Chronicle*, composed around 725 (cf. W. Levinson, "Bede as Historian", in: *Aus rheinischer und fränkischer Frühzeit. Ausgewählte Aufsätze von W. Levinson* (Düsseldorf, 1948), pp. 347-382, he reported that Pope Sergius had refused to sign the minutes of the council: 'erraticae suae (sc. Justiniani II.) synodo, quam Constantinopoli fecerat favere et subscribere': De temporum ratione. PG 90,568 D f. = *MGH* 13 (Auctores antiquissimi), ed. Th. Mommsen (Berlin, 1898), p. 316. His particular interest was in the reconciliation between the pope and the emperor in 711. PL 90,570 A. He did not know that the reconciliation was about the Quinisext.

Ecclesiae dedit.”²⁸ Intended is canon 82 concerning images. But one searches in vain for concrete specifics about the council in Bede. Also in the *Historia Langobardorum*, authored in 787 by Paulus Diaconus (ca. 720/24-799?), we find nothing more specific about the council.²⁹

In the face of this situation, the only very important source about the conflict over the Quinisext available to us, next to the records of the council themselves, are the notes of the *Liber Pontificalis*.³⁰ These reports in the Lives of the Popes Sergius I (687-701), John VII (705-707), Constantinus I (708-715) and Gregory II (715-731), three attempts by Justinian II to gain Roman acceptance of the canons of 692.³¹

There it is noted that Emperor Justinian II commanded a council to meet in the capital at which papal legates had also been in attendance, and had deceptively undersigned.³² The Book of Popes thus reckoned with the participation of Roman “legates” at the Quinisext, but distanced itself from their signatures “because certain chapters contrary to church (i.e. Roman) practice were added.”³³ Further disputed was the legal synodical adoption of the Trullan canons, which were defined as only “quasi-synodical”.³⁴

²⁸ J.D. Mansi, *Sacrorum Conciliorum nova et amplissima collectio* (Florence, 1759 ff.), 13, 94 E. We cannot here go into the question of the authenticity of the letter. On this cf. J. Gouillard, loc. cit. (A Greek product, possibly from Germanos himself to the pope); D. Stein, *Der Beginn des byzantinischen Bilderstreites und seine Entwicklung bis in die 40er Jahre des 8. Jahrhunderts* (Munich, 1980), pp. 89-91, 128-36 (a writing from Pope Zacharias from the year 743); H. Grotz, loc. cit., and E. Lanne, “Rome et les Images Saintes”, in *Irénikon* (1986), pp. 163-188, esp. 170 (a genuine letter). Also, if the letter were from Gregory, it would have been read as such at the seventh council with Rome’s consent (Mansi, 13, 92 C- 100 A).

²⁹ In his judgement Paulus certainly follows—as elsewhere—his model Bede (*LThK*, 8, 231, Art. “Paulus Diaconus” [P. Kollautz]): “Sergium pontificem, quia in erroris illius synodo, quam Constantinopoli fecerat, favere et suscribere noluit.” (PL 85,630 C: De Gestis Langobardorum 6, c.11). The exhaustive “Chronikon syntomon” of Georgios Monachos, completed in 866/7 and covering the period from Adam to 842, makes no mention of the Quinisextum. Cf. ed. de Boor, *Georgii Monachi Chronicon* (Leipzig, 1904).

³⁰ Ed. L. Duchesne, 3 vols. (Paris, 1886), 1955. On the *Liber Pontificalis*, cf. *LThK* 6, 1016 f., art. “Liber Pontificalis” (A. Stuiber); DACL 9, 354-466, esp. 339, art. “Liber Pontificalis” (H. Leclercq).

³¹ Duchesne 1, 371-376; 385 f., 389-92; 396.

³² ‘Huius itaque temporibus Iustinianus imperator concilium in regiam urbem fieri iussit, in quo legati sedis apostolicae convenerant et decepti subscripserant.’: 372, 19f.

³³ ‘pro eo quod quaedam capitulam extra ritum ecclesiasticum fuerant in eis adnexa.’: 373, 1.

³⁴ ‘quasi-synodaliter definita.’: 373, 1 f.

Finally, mention is made of the “volumes written in which various chapters are deemed contrary to the Roman Church,” or simply “of certain chapters.”³⁵ But just which canons are intended, who the legates were, why the council was only a “quasi-council,” or more specific particulars of the course of events are not found here.

Because of that, it is particularly noteworthy that the records of the Quinisext are mentioned in detail. They were presented to the Pope in six volumes (“in sex tomos conscripta”), and these six volumes were signed by three patriarchs and other bishops present at that time, and confirmed by the emperor.³⁶ The number of copies was mentioned and, besides the canons (*capitula*), considerable attention is devoted to the list of signatories in the six volumes.

Finally, it should be emphasized that the concluding pronouncement of the *Liber Pontificalis* upon Emperor Justinian II is of a singular character. During and after the description of the one-year journey of the Pope Constantine to Constantinople and the meeting between the pope and the emperor in Nicomedia in 711, the purpose of which is never mentioned, but which nevertheless served as a compromise in the matter of the Quinisextum, the emperor is praised in the highest terms: “Iustinianus christianissimus et orthodoxus imperator.”³⁷

In the main contemporary Latin sources the emperor “without nose” received an evaluation which contradicts that of the Greek chronicles. These sources form, so to speak, the concluding Roman commentary on the approaching twenty-year conflict. We can now present its three stages.

Well after the conclusion of the council, Justinian II had the minutes of the council sent to Rome and requested the Pope’s signature.³⁸ This suggestion met with vehement opposition from Pope Sergius I (687-701). He not only declined to receive the “Tomoi” officially, but also condemned them as invalid and rejected them. He took that position that it would be better to die than to agree to renewed heresy!³⁹

³⁵ ‘pro tomos ... in quibus diversa capitula Romanae ecclesiae contraria scripta inerat’: 385, 16ff.; ‘de quibusdam capitulis’: 396, 10.

³⁶ ‘ac a tribus patriarchis, id est Constantinopolitano, Alexandrino et Antiocono vel ceteris praesulibus qui in tempore illic convenerant subscripta, manuque imperiati confirmata’: 373, 2 f.

³⁷ See 391, 10 f.; Justinian II was named “Augustus christianissimus” and his humility praised (“humilitas boni principis”) on account of the events in Nikomedia. Ibid., 1.3.

³⁸ ‘Compellabatur autem et ipse subscribere.’ *Liber Pont.* 1. 372, 28 (Further page references without other numbers refer to this volume of the *Liber Pontificalis*).

³⁹ ‘...non adquevit nec eosdem tomos suscipere aut lectioni pandare passus est; corro eos ut invalidos respuat atque aciecit, aligens ante mori quam novitatum erroribus consentire.’: 373, 6 f.

Now one can only condemn what one knows. But although the minutes were not received, they were condemned. It would, therefore, seem that in Rome the contents of the "Tomoi" were well known. One may ask what reasons there were for this sustained provocation of the emperor.⁴⁰ And it is strange that the *Liber Pontificalis* makes no mention of the reasons of the pope. Certain "chapters" did not correspond to tradition, to be sure; but would the Roman bishop die for that?⁴¹

Now, however, the situation had escalated considerably and Justinian wanted to have the pope brought to Constantinople.⁴² But it was not to come to that. There was a general uprising among the Italian people to protect the Roman bishop, which is described in every detail in the *Liber Pontificalis*,⁴³ and which gave Pope Sergius the chance to distinguish himself as the protector and savior of the imperial officials who sought to deport him.

It may well have been the case that in the action of the militia, a conscious national defense against the Byzantine regime of force, played a role.⁴⁴ But this is certainly no explanation for the intransigent attitude of the pope. Italian nationalistic motives were scarcely a concern for him, as he was born in the Greek culture of Sicily, to a family of Syrian origin.⁴⁵ This motive can be cut out for the next two popes as well: John VII was Greek⁴⁶ and Constantius I was also Syrian.⁴⁷ Gregory II is the only Roman-born Pope of the period.⁴⁸ The decades in question belong rather to

⁴⁰ As a rule, up to now the provocation of the Holy See by the request for the signature has been emphasized. Thus, Caspar, *Geschichte* 2, p. 634: 'Die kaiserliche Zumutung war ... so ungenauerlich, daß selbst ein Papst, der völlig reichskirchlich loyal ... empfinden möchte ..., gar nicht anders handeln könnte'.

⁴¹ '...quaedam capitula extra ritum ecclesiasticum fuerant in eis adnexa': 373 f.

⁴² '... cum iussione dixerit ut praedictum pontificem similiter in regiam deportaret urbem': 373, 10. F. Dölger, *Regesten der Kaiserurkunden des oströmischen Reiches*, 3 vols. (München/Berlin, 1924-32), p. 259. The fate of Pope Martin (649-653) appeared to have repeated itself. Justinian's grandfather, Konstans II, had Martin arrested and brought to Constantinople on charges of high treason, of which he was found guilty and sentenced to death, though the sentence was later commuted to exile. Cf. E. Caspar, *Geschichte des Papsttums* (Tübingen, 1933), 2, pp. 565-73; H.G. Beck, *Geschichte*, p. 59.

⁴³ 373, 11 - 374, 7; German translation in Caspar, *Geschichte*, 2, p. 635.

⁴⁴ Thus, Caspar, *Geschichte*, p. 635f.

⁴⁵ 'Sergius, natione Syrus, Antiochiae regionis, ortus ex patre Tiberio in Panormo Siciliae...': 371,1.

⁴⁶ 'Iohannes, natione Graecus ...': 335, 1.

⁴⁷ 'Constantinus, natione Syrus...': 389,1.

⁴⁸ 'Gregorius, natione Romanus...': 396,1.

that period in which the influence of Greek and Oriental elements in the church life of Rome and Italy had reached its high point.⁴⁹ Only two of the thirteen popes from 678 to the fall of Ravenna (752) were of Roman origin; the others were Syrian, Greek or Sicilian.⁵⁰

At the end of 695 Justinian II fell from power and was banished to Cherson.⁵¹ But in the summer of 705 he succeeded in retaking Constantinople and the imperial throne.⁵² It throws an interesting light on the significance the emperor placed on "his" council after a ten-year exile when the *Liber Pontificalis* reports that the reopening of the case was among the emperor's first political actions.⁵³ This drove the affair in a markedly different way than ten years before. What had become a demonstration of power was now completely approached on the ecclesiastical track. Two metropolitans were sent to the Holy See.⁵⁴ In the accompanying minutes Justinian II encouraged the pope "to call a council of the apostolic church and to affirm what he approves and to declare as invalid what he holds should be rejected as loathsome."⁵⁵

What an offer! The Roman church should affirm the canons it finds

⁴⁹ On this cf. J.M. Sansterre, *Les moines grecs et orientaux à Rome aux époques byzantine et carolingienne (milieu du VIe s. - fin du IXe s.)*, 2 vols. (Brussels, 1983).

⁵⁰ On this cf. J. Gay, "Quelques remarques sur les papes grecs et syriens avant la querelle des iconoclastes (678-715)", in: *Mélanges G. Schlumberger* 1 (Paris, 1924), pp. 40-54. An influence of Greek-Oriental culture in Italy during this period can be demonstrated in the areas of art, as well as in the spread of the Eastern cult of the saints. Cf. also Sansterre, "Moines", p. 217. For example, it was Sergius I, who introduced the Eastern feasts of Mary into the Roman calendar: the Annunciation of Mary, the death of Mary, the Birth of Mary and the Presentation into the Temple. *Liber Pont.* 1, p. 376, 4ff. On this cf. L. Duchesne, p. 381, note 63. The *Liber Pontificalis* reports further that Pope Sergius also introduced the hymn *Agnus Dei* during the breaking of the bread during Communion, (p. 376, 3f.). Duchesne thinks: "Il n' est pas défendu de voir, dans de décret de Sergius, une protestation contre le canon 82" (*Liber Pont.*, p. 382, note 42). This connection does not appear convincing to me. See: Ohme, "Quinisextum," p. 60.

⁵¹ Cf. Head, *Justinian II*, pp. 92-98.

⁵² *Ibid.*, pp. 108-11; Ostrogorsky, *Geschichte*, p. 119.

⁵³ "Illico palatium ingressus est propriumque adeptus est imperium, pro tomos ... direxerat, in quibus diversa capitula Romanae ecclesiae contraria scripta inerant ...", 385, 16ff.

⁵⁴ "duos metropolitas episcopos demandavit, dirigens per eos et sacrem...": 385, 18. Dölger, *Regesten*, p. 264.

⁵⁵ "per quam denominatum pontificem coniuravit ac adhortavit apostolicae ecclesiae concilium adgregaret et quaeque ei visa essent stabiliret et quae adversa rennuendo cassaret.": 386, 1f.

acceptable, but reject the unacceptable ones, that is, declare them as invalid for her. The recommendation is an interesting offer of compromise from the emperor which could not have been more accommodating for Rome.⁵⁶ John VII, however, sent the minutes back to the emperor without comment.⁵⁷ A missed opportunity to set aside this conflict. How can one make sense of it?

The *Liber Pontificalis* rebukes Pope John and attempts to explain his attitude as anxiety due to human weakness. But it remains unclear why it should attempt to explain the pope's attitude as apprehension when it really indicates his determination. A fearful attitude would have been an explanation if the pope - who had before him in Rome the example of the recently deposed, blinded and exiled Patriarch Kallinikos I of Constantinople (693-705)—had conformed to the wishes of the emperor. But John VII, the Greek, did nothing and let things drift on, although he was fully prepared to compromise on particular canonical issues. Thus he allowed the painting of the fresco in the basilica of Santa Maria Antiqua in Rome⁵⁸ and complied with canon 82, which forbade depicting Christ as a lamb.⁵⁹ Had he agreed to the imperial offer, the conflict about "diversa capitula" would probably have been resolved. But he appears not to have wanted this. Does it have to do with something else entirely, something more than just a few canons?

⁵⁶ It is incomprehensible that the report of the *Liber Pont.* is here "intentionally obscure" and the sacra "only contained the query as to what Rome was complaining about," and that John "detected a threat," as Caspar claims (*Geschichte*, 2, p. 637).

⁵⁷ "Sed hic, humilitate fragilitate timidus, hos nequaquam emendans per suprafatos metropolis direxit ac principem.": 386f.; It is unclear how Hussey (*The Orthodox Church*, p. 28) can conclude: "Apparently the Pope made no changes in the document and returned it to the Emperor, the *Liber Pontificalis* implying that he signed it."

⁵⁸ 'Basilicam itaque sanctae Dei genetricis qui Antiqua vocatur pictura decoravit...': 385, 6 f.

⁵⁹ The foundational recent study of these frescoes comes from P.J. Nordhagen, *The Frescoes of John VII in Santa Maria Antiqua in Rome*, 1963. This received a critical review from B. Brenk, *BZ*, 64 (1971), p. 304 f. and a modified reception by J. D. Breckenridge, "Evidence for the Nature of Relations between Pope John VII and the Byzantine Emperor Justinian II," *BZ*, 65 (1972), pp. 366-74. J.M. Sansterre, "Jean VII (1705-707): Idéologie pontificale et réalisme politique", in *Homages à Ch. Delvoye*, ed. by L. Hadermann-Misguich and B. Raepsaet (Brussels, 1982), pp. 377-88, wants to take a third, middle position. See also his "À propos de la signification politico-religieuse de certaines fresques de Jean VII à Ste.-Marie-Antique," *Byz.* 57 (1987), pp. 434-40.

Before the emperor could take another step, John VII died. Finally, the Syrian Constantinus I (708-715) was elected.⁶⁰ But more than two years passed before Justinian in 711 would begin his third initiative and request a papal visit to the capital.⁶¹ The *Liber Pontificalis* noted agreeably that Constantinus did not hesitate to obey the rulers command, and had ships prepared straight away.⁶²

Yet one may be surprised by the apparent obviousness of the pope's reported readiness to travel. There were only a few times when the pope—more or less voluntarily—went to Constantinople, and it remained the last time until the twentieth century.⁶³ But above all, the journey itself was of such enormity—Constantinus was under way for just about a year—that the readiness for it can hardly be overestimated. At any rate, the effort seemed to be justified and one was not surprised by the demands. So it is easy to surmise that the resolution of the case had been in the works for some time and that the meeting of the emperor and the pope would take place on the basis of the promising results for prenegotiations.

The *Liber Pontificalis* describes the journey in detail.⁶⁴ Constantinus received an imperial safeconduct⁶⁵ and was accompanied to Constantinople by an admiral of the fleet ("stratigos Caravisionorum"). He was expected at the Campus Martius, the Hebdomon, of the capital city by co-Emperor Tiberius, the son of Justinian, in whose company were nobles and senators, and Patriarch Kyros (705-711) and his clergy. Justinian II was in Nicea and came to Nicomedia to meet the pope. In Nicomedia—as the *Liber Pontificalis* reports—the emperor bowed before the pope with his crown on his head, kissed his head and the two embraced. On the following Sunday the emperor received communion from the pope and was absolved.⁶⁶ The report concludes with the note that Justinian II "restored all the privileges of the (Roman) Church" and allowed the pope to depart.⁶⁷

⁶⁰ The author of his biography presents him quite positively and praises his gentleness and great holiness (389, 1.14): "Vir mitissimus valde..."; "...sanctissimus vir..."

⁶¹ "...misit...sacram per quam iussit eum ad regiam ascendere urbem.": 389, 13. Dölger, *Regesten*, p. 266.

⁶² "Qui sanctissimus vir iussis imperatoris obtemperans ilico navigia facit parari.": 389, 14.

⁶³ Examples can be found from the previous 150 years: Vigilius in 547, Agapetus in 536 and John I in 524/5. *Liber Pont.* 1, 297 f.; 237 f.; 275.

⁶⁴ Cf. H. Ohme, "Quinisextum," pp. 69-72.

⁶⁵ Dölger, *Regesten*, p. 267.

⁶⁶ 391, 3f.

⁶⁷ "...omnia privilegia ecclesiae renovavit..."

Emperor Justinian II was highly praised in the *Liber Pontificalis* for his accomodating spirit and the meeting in Nicomedia. But at the same time, there is no mention of the reason for the journey and the object of negotiations in the Bithynian Metropolis. Were it not for an aside in the *Vita Gregorii* (715-731), we would not know that the Quinisext was on the agenda. Gregory, who as a deacon was a member of the papal entourage, was asked by the emperor about certain chapters, and answered as best he could and solved each problem.⁶⁸ Thus the *Liber Pontificalis* creates the impression that Constantinus I went to the imperial city to offer communion to the repentant sinner Justinian II, to extend absolution and to confirm the restoration of all Roman privileges. By present-day standards, one would call this tendentious and misleading reporting by omission. The results concerning the Quinisext do not appear to have been well harmonized with the previous attitude of the Holy See, so that the best solution seems to have been silence.

Against this background the extended presentation of the obliging treatment of the pope and the emphasis upon the great success for the Roman cause appear in a different light. One has rather the impression that here the Roman concessions are concealed and downplayed.⁶⁹ At any rate, it came down to an agreement which was satisfactory to both sides. There is today a general consensus.⁷⁰ Constantinus would have only accepted the

⁶⁸ '...atque a Iustiniano principe inquisitus de quibusdam capitulis optimam responsionem unamque solvit quaestionem': 396, 9ff. With this terminology (*capitula*), the *Liber Pont.* had already spoken of the Trullan canons in an earlier context. It is only the second edition of the *Vita Gregorii*, completed after 740, that contains this remark, which seeks to emphasize the early significance of this pope; the first edition, written during Gregory's lifetime, limits itself to mentioning that he was among the entourage. Cf. Duchesne, *Liber Pont.*, 220-223.

⁶⁹ The papal preferential treatment was certainly more a "compensation pour d' inevitables concessions" (Sansterre, *Moines*, p. 13). This impression is solidified by a letter from the Constantinopolitan Patriarch John VI (712-715) to Pope Constantinus (Mansi, 12, 196-208; V. Grumel, *Les Regestes des Actes du Patriarcat de Constantinople*, (Chalcedon, 1932 ff.), No. 322, to which Caspar refers (*Geschichte*, 2, p. 642). In this letter the Patriarch justifies his accomodating attitude over against the Monothelite Philippikos Bardanes with the discrete advice to the pope: "but as you well know from experience, holy Father, it was not easy to act too hard and rejecting to the compulsions of force without a certain cleverness".

⁷⁰ Cf. Hefele, *Conciliengeschichte*, 3, p. 346; J. Langen, *Geschichte der römischen Kirche*, vols. 1-4 (Bonn, 1881-1893), 2, p. 599; F. Görres, "Justinian II und das römische Papsttum," *BZ*, 17 (1908), pp. 432-54, esp. p. 453; Bréhier, in Fliche-Martin, *Histoire*,

canons which did not stand in the way of Roman practice.⁷¹ Probably the Roman church achieved a dispensation from the application of the canons in question.⁷² Nonetheless, Constantinus would have recognized the validity and legality of these canons and perhaps was even compelled to declare his agreement with all of the canons of the Quinisext.⁷³ The restoration of Roman privileges, emphasized by the *Liber Pontificalis*, certainly made this concession possible. A certain primate of Roma also conceded canon 36, which for that reason did not have to be invalidated. Further "privileges" could have been an affirmation of the Roman jurisdiction over the bishopric of Ravenna and a restoration of tax advantages for the papal patrimonies in Sicily, Calabria, Bruttium and Lucania.⁷⁴

5, p. 200; Caspar, *Geschichte*, 2, p. 39f.; Laurent, "L' Oeuvre," p. 34f.; Sansterre, *Moines*, pp. 13-20.

⁷¹ Thus Hefele, *ibid.*; St. Sakac, "Qua ratione Patriarchis Constantinopolitanis faventibus canonibus synodi Trullanae antiromanis auctoritas parta et aucta sit," in: *Acta IV, Conventus Velehradensis* (Olmouc, 1925), 81-99.85; Bréhier, *ibid.*; Beck, *Geschichte*, p. 61. There is only slight evidence for the view that Justinian II set aside the canons which Rome found unacceptable and so accepted their rejection by the pope. This thesis is advanced by Görres (*ibid.*), who calls upon Langen, but again more recently by V. Laurent ("L' Oeuvre," p. 34 f.): "l' empereur dut accepter l' abolition de ceux que Rome jugeait inacceptables". "Justinien II recut donc et agréa la preuve de l' illicéité des canons contraires aux droits et prerogatives du Siège Romain. À partir de cette évidence les canons séditeux ne purent qu' être écartés." Sansterre (*Moines*) has consistently emphasized that this is not tenable. Special importance has come to be attached to the statement of Pope Hadrian I (772-795), who in his response to Patriarch Tarasios read in the second meeting of the seventh ecumenical council, discussed the Trullan canons with the note that he accepted the six ecumenical synods "cum omnibus regulis quae iure ac divinitus ab ipsis promulgatae sunt." He explicitly numbered canon 82 of the Quinisextum among these. On this cf. Sansterre, *Moines*, pp. 15-18, and my article, "Das Quinisextum auf dem VII ökumenischen Konzil" in: *Annuario historiae conciliorum*, 20 (1988), pp. 325-44.

⁷² Thus, also, J.M. Sansterre, "L' Église romaine obtint sans doute d' être dispensée de l' application d' usages contraires à ses coutumes," *Moines*, p. 20.

⁷³ "Il reconnu verbalement la licéité des usages dont son Église était dispensée. Peut-être même fut-il contraint de donner une approbation verbale à l' ensemble de la collection canonique", Sansterre, *Moines*, p. 21. Sansterre does not wish to exclude c. 36 from this. Earlier Caspar had similarly surmised that the canons would "not be changed in the least" (*Geschichte*, 2, p. 640).

⁷⁴ The emperor had already given similar tax advantages in writing to Pope Conon in 687. *Liber Pont.* 1, p. 369: cf. Head, *Justinian II*, p. 62; otherwise, also, Sansterre, *Moines*, p. 21, note 87.

It is undoubtedly unsatisfactory that at these decisive points one is forced to rely on hypotheses and logical deductions. But the Nicomedian agreement was most likely not written down; at any rate, nothing to the contrary is known. But it is known that Pope Constantinus I did not sign the decisions of 692. In spite of the willingness to compromise and the honors and privileges accorded, Rome was still not ready to add the signature of its bishop to the list of signatories. One would not be wrong to see in this Rome's greatest success. But the question is left open: Why did Rome never sign?

The Records of the Council

A. The address of the fathers of the council to the emperor, the so-called *Logos Prosphonetikos*, also belongs to the records of the council in the Trullos, alongside the canons and the list of signatories.⁷⁵

From this address it can be learned that it was the emperor himself who took the initiative for this synod.⁷⁶ He determined the convening of the meetings.⁷⁷ The bishops were honored by his letter of invitation and came to Constantinople⁷⁸ at his command.⁷⁹ This information corresponds en-

⁷⁵ Mansi, 11, 921-1006; *Logos Prosphonetikos*, 928-936; canons 936-988; list of signatories 988-1006. The *Logos Prosph.* and the canons are also found in Rhalles-Potles (2, pp. 295-554), along with the corresponding commentaries of Zonaras, Balsamon and Aristenos. A critical edition of the *Logos Prosph.* and the canons from P.P. Joannou is also available (*Discipline Générale Antique* [Ile-IXe siècle], part 1, *Les canons des conciles oecuméniques* (Grotta Ferrata/Rome, 1962) = (hereafter = CCO), pp. 101-241. For the critical edition of the list of signatories cf. now: Ohme, "Quinisextum," pp. 145-70. We have records of the council only in the narrow sense of the word, not minutes. One can hardly suppose any more that the original minutes were lost. Thus G. Fritz, *DThC* 13/3 (1937), p. 1582, and similarly in 1986, B. Th. Stavrides, *Ὁ συνοδικὸς θεσμὸς εἰς τὸ Οἰκουμενικὸν Πατριαρχεῖον* (Thessalonike, 1986), p. 364. This results from the studies of E. Chrysos distinguishing records of nonjudicial synods from the minutes of judicial synods. Cf. Chrysos, "Die Akten des Konzils von Konstantinopel," in *Romanitas-Christianitas*, Festschrift. J. Straub, ed. by G. Wirth et al. (Berlin/New York, 1982), pp. 426-35; "Konzilsakten und Konzilsprotokolle vom 4. bis 7. Jahrhundert," *AHC*, 15 (1983), pp. 30-40.

⁷⁶ CCO, 101, 17.20.

⁷⁷ CCO, 109, 13: ὥρισας

⁷⁸ More specific information about the place of the synod, that is, the domed hall of the imperial palace, can be deduced from the title of the *Logos Prosphonetikos* (CCO, 101, 12-16): Προσφωνητικὸς λόγος τῶν ἐν Κωνσταντινουπόλει ἐν τῷ Τρούλλῳ τοῦ Βασιλικοῦ παλατίου συνελθόντων ἁγίων πατέρων πρὸς Ἰουστινιανὸν τὸν εὐσεβεστάτον Βασιλέα. Further the phrase ἐν τῷ Τρούλλῳ is used nearly throughout in the manuscript tradition of the records of the council; cf., e.g., the 31 MSS, which V.N. Benesevic summarized in his "Recensio Photio Prototypa," in *Kanoneskij*

tirely to what we know of the imperial synodical power ("Synodalgewalt")⁸⁰ and the information of the *Liber Pontificalis*.⁸¹ One would like to know, of course, if the Bishop of Rome was invited. But since there are no extant copies of the letter of convocation, we should reserve judgement on this point.⁸² At least the legates mentioned in the *Liber Pontificalis* would have received a letter of invitation.

The council, called by the emperor, was according to the *Logos Proshphonetikos* expressly commended and convened as holy and ecumenical and thus understood itself.⁸³ Overtones of this can be heard in cc. 3 and 51,⁸⁴ and there is an eloquent expression of it in the space left empty for the signatures of the western bishops.

The *Logos Proshphonetikos* also gives insight into the reasons why the emperor called this synod. The condition of God's people was lamentable; they were torn apart by disorder and at the point of collapse. The

Sbornik XIV Titulov So Vtoroj Cetverti VII. Veka Do 883 G. (St. Petersburg, 1905), 134, 157 passim., for the name of the council. Behind the selection of the place of the meeting, where the fathers had already met in 680/81 (Mansi, 11, 623 E), stood naturally the programmatic intention of it being a continuation of that meeting. In opposition to this, J.S. Assemani thought that even the identity of the location is debatable: "Trullana...nihil commune cum sexta habuit, non tempus, non locum, non patres" (*Bibliotheca Iuris Orientalis*, 5, 85).

⁷⁹ CCO, 110, 19; 110, 8; 101, 22; 110, 10.

⁸⁰ Cf. A. Michel, *Die Kaisermacht in der Ostkirche (843-1204)* (Darmstadt, 1959); F.X. Funk, "Die Berufung der allgemeinen Synoden des Altertums", *Theologische Quartalschrift*, 83 (1901), pp. 268-77; Beck, *Kirche*, p. 41.

⁸¹ "Iustinianus imperator concilium in regiam urbem fieri iussit" (1, 372, 19).

⁸² Others seem to assume more than is in the sources. Langen, *Geschichte der römischen Kirche*, 2, p. 588 f.: "An den Papst erging also keine Einladung." Caspar, *Geschichte*, 2, p. 633: "obwohl der Westen überhaupt nicht zur Teilnahme eingeladen war..."; similarly, F.X. Seppelt, *Die Entfaltung der päpstlichen Machtstellung im frühen Mittelalter*, (*Geschichte der Päpste*, 2) (Munich, 1955), p. 82. Laurent, "L'Oeuvre," p. 10: "Sans même que le pape ait été informé"; similarly Beck, *Geschichte*, p. 61: "ohne vorherige Konsultation des Papstes"; Hussey, *The Orthodox Church in the Byzantine Empire* (Oxford, 1986), p. 24: "was called...without consultation with Rome." J.L. van Deiten, *Geschichte der Patriarchen von Sergius I bis Johannes VI (610-715)* (Amsterdam, 1972), p. 153, even claims that Rome was "absichtlich nicht eingeladen."

⁸³ "τὴν ἁγίαν ταύτην καὶ θεόλεκτον οἰκουμενικὴν ἀθροισθῆναι σύνοδον ὧρισας;" CCO, 109, 11 ff; 101, 17.

⁸⁴ CCO, 125, 18f.; 188, 12 f.: "τῇ ἁγίᾳ ταύτῃ καὶ οἰκουμενικῇ ... συνόδῳ"; "ἡ ἁγία αὕτη καὶ οἰκουμενικὴ σύνοδος."

remnants of heathen and Jewish foolishness were shooting up like weeds.⁸⁵ Finally, the speech itself gives information about the point in the council's proceedings at which its reading is to be imagined, when it formulates that the purpose of its work⁸⁶ was the formulation of necessary canons⁸⁷, and that this happened in convergence and agreement.⁸⁸

The *Logos Prosphonetikos* reaches its high point with the presentation of a concluding request to the emperor for his signature:

In view of this we now request your Blessedness, using the same words of the Fathers, who met previously in this divinely preserved city, under our late emperor Theodosius, that with your pious holy signature, you might now seal the agreement in which you have honored the church with your invitation.⁸⁹

It is perhaps no accident that Emperor Theodosius I and the Council of Constantinople (381) were brought into play now. The point of comparison with the Quinisext appeared to be that the lack of official representation of the Holy See did not necessarily exclude the ecumenicity of the synod if Roman agreement was achieved later. This precisely was the case with the Second Ecumenical Council.⁹⁰ The *Logos Prosphonetikos*, however, cites word for word the petition of the fathers to Theodosios I in 381.⁹¹ Yet this quotation assumes a deliberate study of the extant records of the council of 381 and can only mean that by appealing to this precedent and being conscious of an outstanding Roman agreement, the council was concluded as an ecumenical synod, whose ecumenicity was then to be completed by the agreement of the Bishop of Rome.⁹² To the contrary, it meant that Roman participation or even agreement in Quinisext could scarcely have been forth-

⁸⁵ CCO, 109, 17f.: 'λείψανον ἑλληνικῆς ἢ ἰουδαϊκῆς σκαυότητος.'

⁸⁶ CCO, 109, 16: 'τὸ σπουδαζόμενον.'

⁸⁷ 'κανόνας ἱεροὺς ἀνεγράψαμεν': CCO, 110, 11.

⁸⁸ 'τῇ τῶν πολλῶν ἐπὶ τὸ αὐτὸ συννεύσει τέ καὶ συμπνοίᾳ': CCO, 109, 14f.

⁸⁹ CCO, 110, 12-111,1; 110, 18 ff.: 'ὥσπερ τοῖς τῆς κλήσεως γράμμασι τὴν ἐκκλησίαν τετίμηκας, οὕτω καὶ τῶν δοξάντων δι' εὐσεβῶν κεραιῶν ἐπισφραγίσῃς τὸ τέλος.'

⁹⁰ Cf. A.M. Ritter, *Das Konzil von Konstantinopel und sein Symbol* (Göttingen, 1965), pp. 39 f.; 213ff.; cf. also V. Laurent, "L'oeuvre," p. 11.

⁹¹ In their *Logos Prosphonetikos* it reads: "δεόμεθα...ἵνα ὥσπερ τοῖς τῆς κλήσεως γράμμασι τὴν ἐκκλησίαν τετίμηκας, οὕτω καὶ τῶν δοξάντων ἐπισφραγίσῃς τὸ τέλος": Mansi, 3, 557 C; Ritter, *Konzil*, p. 124 f.

⁹² Neglected in this appeal to historical precedent at any rate is the obvious fact that the Synod of 381, in the understanding of the fathers, did not lay claim to ecumenicity from the beginning, but rather understood itself to be "the holy synod of bishops from

coming.

B. The 102 Canons form the work of the council and are in certain sense the conclusion of the canon law of the ancient church. They have been an integral part of Orthodox canon law up to the present.⁹³ No other council of the Church has to such an extent established canon law. It is in fact clear that the attempt at a reform of the spiritual and moral life of the Church was born out of a serious emergency in which the substance of the Christian faith and life had been exposed to serious erosion. The historical background for such erosion is to be sought in those basic changes, deviations and transformations which the Byzantine Empire underwent in the 7th century.⁹⁴ Space does not allow us a closer investigation of these.

In certain canons one usually sees the main reasons for Rome's rejection of the council. For this reason, the listing of the canons in question takes up much room in the relevant literature.⁹⁵ This is not the place for an

various provinces gathered in Constantinople." At any rate, that is how the title of the same *Logos Prosphonetikos* reads a few lines before the passage enlisted in 692. Cf. Ritter, *Konzil*, pp. 124, 209.

⁹³ Cf., e.g., I. Karmiris, *Tà dogmatikà*, 1, pp. 225-35, who emphasizes the 24 canons of the Quinisext and assigns them a "dogmatic-symbolic" character.

⁹⁴ These are well known and have been extensively reported. Cf., e.g., Diehl, *La transformation*; G. Ostrogorsky, *Geschichte*, pp. 73-122; G. Ostrogorsky, "The Byzantine Empire in the World of the Seventh Century", *DOP*, 13 (1959) (= *Zur byzantinischen Geschichte: Ausgewählte Kleine Schriften* (Darmstadt, 1973), pp. 80-89); P. Charanis, "Some Remarks on the Changes in Byzantium in the Seventh Century", in *Studies on the Demography of the Byzantine Empire* (London, 1972), ch. 4; P. Charanis, "Ethnic changes in the Byzantine Empire in the Seventh Century", *DOP*, 13 (1959), pp. 23-44 (= *Studies on the Demography of the Byzantine Empire*, ch. 2); F. Winkelmann et al. (eds.), *Byzanz im 7. Jahrhundert. Untersuchungen zur Herausbildung des Feudalismus Berliner Byz. Arbeiten*, 48 (Berlin, 1978).

⁹⁵ Without doubt the most exhaustive presentation of Roman Catholic objections is found in J.S. Assemani, *Bibliotheca Iuris Orientalis Canonici et Civilis*, 5 vols. (Rome, 1762ff). Cf. esp. vol. 1, pp. 408-45: "Animadversiones in nonnullos Canones Trullanos", vol. 5, pp. 98-348: "Animadversiones in Canones Trullanos." Prior to him, M. Le Quien, under the pseudonym St. de Altamura, *Panoplia contra Schisma Graecorum* (Paris, 1718), pp. 124-27, found fault esp. with cc. 13, 55 and 2, and Chr. Lupus, *Synodorum Generalium ac Provincialium decreta et canones* (Louvain, 1665), vol. 2, 860-1069, commented on the whole canonical work of the Quinisextum. The discussion was taken up again in connection with Assemani's analysis by J.B. Pitra in 1868 in his "Annotationes ad Trullanum Concilium" (*Monumenta*, 2, 76-99); he emphasized esp. cc. 1, 2 (85 ff.), 36 (88f.), 13 and 30 (94), 55 and 67 (96) and 82 (98ff.). J. Hergenröther, *Photius, Patriarch von Konstantinopel*, vol. 1 (Regensburg,

analysis of the so-called “anti-Roman” canons.⁹⁶ Certainly some of these canons were hardly acceptable to Rome. Persons upholding the Roman practice of celibacy (c.13) and the tradition of the Saturday fast in the “tessaracoste” (c.55) in the city of Rome were threatened with deposition and excommunication. Western sensibilities were certainly affected by c.2—the first summary of ancient canon law—in which all western local synods except Sardica and Carthage were ignored and all 85 “Apostolic Canons” were accepted.⁹⁷ A hot iron also touched c.36, which renewed and defined c.3 of the Second Ecumenical Council and c.28 of Chalcedon, giving the throne of Constantinople the same right of honor as Rome and the second place in the order of succession.⁹⁸ This renewed the unclarified and explosive question of primacy and the ecclesiastical-political order and relationship between Rome and Constantinople⁹⁹ left unresolved since the rejection of c.28 by Pope Leo I.¹⁰⁰ And the question was not posed anew, rather, the final answer was placed before the Roman bishop for his signature.

1867), took up above all c.13 and then ran up against the whole order of celibacy in the Trullanum, further in cc. 1, 2, 36, 55, 67, 82 (219). C.J. Hefele was somewhat more reserved in the naming of specific canons and discussed only cc. 2, 13, 30 and 67 (Hefele, 3, pp. 331, 332, 334 f., 339). Even more decisive was the judgement of F. Görres, *Justinian II*, pp. 441-45), who appealed to J. Langen (*Geschichte* 2, pp. 590f., 595-600). He complained about cc. 1, 3, 13, 30, 36, 55 and 82. St. Sakac, *Qua ratione*, pp. 81-84, reduced the fundamental Roman objections to cc.2, 13, 36 and 55. The same canons were named by G. Fritz in 1937 (*DThC* 13, 1594), with 28, 57 and 82 added. Finally, V. Laurent, “L’Oeuvre,” p. 32f. found twelve unspecified canons “contraires aux usages et aux droits de l’Église Romaine,” but then named six canons which present “une offense directe au Magistère Suprême.” The six are 13, 36, 55, 67, 82 and 1.

⁹⁶ Cf. here Ohme, “Quinisextum,” pp. 44-54; the same, “Begegnung zwischen Ost und West in den Kanones des Concilium Quinisextum (692),” in: *Acts of the International Congress about the Meeting of Eastern and Western Canons* (Bari, 23-29.9.1991).

⁹⁷ Joannou, *Discipline*, 1/2, pp. 8-53. It is known that from these only the first fifty canons in the Latin translation by Dionysius Exiguus (d.550) achieved the status of law in the West. Cf. J. Quasten, “Kirchenordnung,” *LThK* 6, p. 238ff. Canons 51-85 were eventually included in the list “De Libris non recipendis” under Pope Hormisdas (514-523).

⁹⁸ τῶν ἰσῶν ἀπολαύειν πρεσβείων τοῦ τῆς πρεσβυτέρως Ῥώμης θρόνου’: *CCO*, 170, 10ff.

⁹⁹ Cf. Beck, *Kirche*, p. 32 ff. (Lit.: 30).

¹⁰⁰ Ep. 115 *ad Marcianum*: *ACO* 2, 4, 67 f.; Jaffe, *Regesten*, pp. 490, 491.

Nevertheless, it is not proper to speak generally of an anti-Roman character of the canons of the Quinisext when one considers that c.3, on the subject of re-marriage of clergy, expressly emphasizes the Roman practice as normative and revokes the eastern practice.¹⁰¹

For this reason it is an exaggeration to see in the Trullan canons "a main cause of the Schism with Rome as a consequence of its exclusive and intransigent character."¹⁰² The Trullan canons are not primarily anti Roman. They do, however, reflect a view of church life and unity in which the Byzantine-eastern tradition of the previously named areas came to be seen as the yardstick for all of Christianity.¹⁰³ The same attitude, as far as canon law is concerned, also applied to Armenian customs and practice.¹⁰⁴

C. The list of bishops' signatures comprises the third part of the records of the Quinisextum. It is now available in a critical edition. What insights toward understanding the historical conflict can be gained from an analysis of it?

First, it allows us to be certain of the number of participants at the council. In other literature, we have anywhere from 165 to 240 participants.¹⁰⁵ Two hundred and twenty bishops took part at the Quinisextum. One hundred and eightythree fathers came from the dioceses of the Patriarch of Constantinople, 10 bishops from eastern Illyria; the Patriarch of Alexandria, 24 bishops from Antioch and two representatives from Jerusalem spoke for the three eastern Patriarchates. Six places were reserved in the list for later signatures. If one counts these with the signature of the emperor, one arrives at the number 227 (σξζ'). The critical edition of the list of signa-

¹⁰¹ Cf. on this Ohme, "Quinisextum," p. 51 f.

¹⁰² Thus L. Bréhier, in *Fliche-Martin* 5, p. 474. The spokesmen of the Greek side in the middle of the 11th century contributed not a little to this assessment in their polemics. Thus the 'Panoplia', attributed to Michael Kerullarios, had brought c.11 as a canon of the 6th Ecumenical Council into play against the Azymes (cf. A. Michel, *Humbert*, 2, p. 238, 12). Niketas Stethatos did the same thing in his *Dialexis*; he argued further with c. 55 and 52 against the western practice of fasting and with c. 13 against mandatory celibacy by citing them word for word and calling for their observance (333, 15ff.; 335, 14ff.; 337, 1ff.; 339, 20 ff.). To all this excess "the Brave one" drew the logically correct, but historically wrong, conclusion from the title of the canons, that these were approved by papal authority and were promulgated by the chairmanship of Pope Agatho (οἱ ἐν τῇ ἑκτῇ συνόδῳ πατέρες συμφώνως οὕτω νομοθετοῦσι, προκαθεζομένου τῆς ἁγίας συνόδου Ἀγάθωνος Πάπα Ρώμης...., 335, 14ff.).

¹⁰³ Thus, also, V. Laurent, "L' oeuvre," p. 33.

¹⁰⁴ See Canons 32, 33, 56 and 99.

¹⁰⁵ Cf. on this Ohme, "Quinisextum," p. 80 f.

tures thus affirms the entry at the end of many—including the earliest—manuscripts: σκξ'.¹⁰⁶

But above and beyond that, this list provides detailed information about the incisive changes in the hierarchical rank of the signatories and offers answers to the question of Roman participation at the council. Finally, there is the extremely unusual signature of the emperor in the first place, ahead of the bishops.

Without parallel in the *Notitiae Constantinopolitanae*, the first place in the order of Metropolitanates was occupied by Nea Justinianopolis, recently founded by Justinian II for the archbishop of Cyprus and his people.¹⁰⁷ Beyond that, this bishopric ranked ahead of Thessalonica, the capital of Eastern Illyria and the Vicariate of Rome.¹⁰⁸ In 681, however, the metropolitan of Thessalonica had signed as first under the patriarchs and, therefore, before the representative of the archbishop of Cyprus.¹⁰⁹ The ascension of Justinianopolis documented in the list of signatures thus had as a consequence a notable downgrading of what Rome viewed as its most important representative in the east. There is also the fact that the metropolitans of Eastern Illyria were accorded a higher place. But in contrast to previous practice, they became joined to the sees of Constantinople and were no longer given precedence. Eleven years previously, this was different.¹¹⁰ Then the Illyrian suffragans were put one place ahead of the autocephalous archbishops of Constantinople.¹¹¹ But now we find them among the suffragans of Constantinople, placed together with the bishoprics of the capital. The same thing can be observed with the Antiochene metropolitans.

¹⁰⁶ All other numbers of participants can be explained as an erroneous addition of the list to other councils (164, 165, 170), a copyist's error (240), or as part of a single manuscript, which was the basis of the first and frequently reprinted Greek-Latin edition of the list of signatories (211). Only the count of 227 belongs to the original manuscript tradition, and as a secretary's note, it is a part of the original scroll of the council records. Its possible origin from a special strand of tradition - such as a synopsis of the council - can be excluded.

¹⁰⁷ On the historical background, cf. Ohme, "Quinisextum," pp. 217-21.

¹⁰⁸ Cf. on this Beck, *Kirche*, p. 176 f., 31f.; J. Koder, *Der Lebensraum der Byzantiner* (Darmstadt/Graz, 1984), p. 104 f.; for more recent literature, cf. E. Chrysos, "Zur Echtheit des 'Rescriptum Theodosii ad Honorium' in der 'Collectio Thessalonicensis,'" *Κληρονομία*, 4 (1972), pp. 240-50, esp. 240ff.

¹⁰⁹ In the eighth place. Cf. Mansi, 1, 11, 640E.

¹¹⁰ Thessalonica, (Ravenna), Corinth and Crete signed there ahead of the metropolitans of the Patriarchate of Constantinople, in places 3, 10, 12 and 13. Cf. Mansi, 11, 640f.

¹¹¹ On the particulars of this, cf. Ohme, "Quinisextum," p. 213f.

It appears as if someone had wanted to document in writing the Constantinopolitan claim in the unresolved - from the Byzantine point of view - question of the ecclesiastical jurisdiction of Eastern Illyria. The intention, it appears, was to put this documentation on record, if possible, with a papal signature. Apparently, we have here an early attempt - at the level of the conciliar records - to expedite the ecclesiastical integration of Eastern Illyria into Constantinopolitan jurisdiction.¹¹²

Together with the ten bishops of the jurisdiction claimed by Rome over Eastern Illyria who took part in the Quinisext, there were the metropolitans of Gortyna and Dyrrhacion and the bishops of Philippi, Lemnos, Amphipolis, Edessa, Stoboi, Kydonia, Kissamos and Chersonesos. The representatives of Italy or other provinces under Rome were absent. This small western representation among a total of 220 bishops present served occasionally to justify the reserve of western historians toward the Trullanum. A comparison¹¹³ with the synods of the sixth and seventh centuries and their thoroughly weak western representation makes two points clear: 1. The limited "western" participation at the Trullanum is no conciliar special case and cannot thus be explained by the Quinisext itself, 2. A conscious disinclination to participate on the part of the "western" bishops or even their non-invitation are not satisfactory explanations. The causes must be found elsewhere. As far as Eastern Illyria is concerned, they can be found in the changing general historical conditions of the Balkans, as immediate consequences of immigration—in particular of the Slavs—in the sixth and seventh centuries.¹¹⁴

This finds confirmation in the participation of the Metropolitan of Crete, Basileios of Gortyna, whose signature¹¹⁵ is ostensibly pointed out in the Orthodox tradition. Until recently, it has been seen as an important indication in the records of the council itself of Roman participation in, and agreement with, the Quinisext. An in depth analysis¹¹⁶ of his role, signa-

¹¹² An event believed to have occurred in the 730s, even if "die Frage nach der Zeit und dem Vorgang der endgültigen Eingliederung... ungeklärt [bleibt]." Thus E. Chrysos, *Zur Echtheit*, p. 241, note 1. Cf. on the status of the discussion, P. Schreiner, *Byzanz*, (Munich, 1986), p. 124.

¹¹³ Cf. Ohme, "Quinisextum," pp. 222-34.

¹¹⁴ Cf. G. Ostrogorsky, "The Byzantine Empire in the World of the Seventh Century," *DOP*, 13 (Washington, 1959) (= *Zur Byzantinischen Geschichte. Ausgewählte kleinere Schriften* (Darmstadt, 1973), p. 87).

¹¹⁵ Βασίλειος ἐπίσκοπος τῆς Γορτυνέων μητροπόλεως τῆς φιλοχρίστου Κρήτης νήσου καὶ τὸν τόπο ἐπέχων πάσης τῆς συνόδου τῆς ἁγίας ἐκκλησίας Ῥώμης ὁρίσας ὑπέγραψα.

¹¹⁶ Cf. Ohme, "Quinisextum," pp. 235-51.

ture and person at the Sixth Ecumenical Council leads to a solution of the previous Aporiae: Basileios was no Roman "apokrisiarios", but was co-opted into the Roman synodical delegation of 125 bishops in the course of the Sixth Ecumenical Council. He signed in 692 using the same title given him previously. He was not a papal legate and could not have had any papal authority. The term "legati" mentioned in the *Liber Pontificalis* appears to have been about the usage of the Lateran for the metropolitans of the jurisdiction claimed by Rome over Eastern Illyria, and thereby also over Basileios and the bishop of Dyrrachium. The Holy See was in any case not represented at the Trullanum by papal legates as such.

More precise statements can also be made as to whether the Quinisext was a continuation and conclusion of the Sixth Ecumenical Council in terms of the persons present. It was Patriarch Tarasios at the Seventh Ecumenical Council, 95 years after the Trullanum, who argued for a continuity of personnel from the synod of 680/1 to the Synod of 692. He declared in an extensive defense of the Trullanum against the iconoclastic questioning of the council that the same fathers who came together under Konstantinos (IV) had also gathered under his son Justinian in order to draw up the canons. For that reason, he presented the original records of the synod of 692 to the council and declared that those who had signed under Konstantinos had also signed the scroll presented to the council under Justinian, as the similarity of their signatures clearly showed.¹¹⁷

The opposition to this presentation of the Patriarch of Constantiople has always played a special role in the controversial-theological polemics of early Roman Catholic canon law and conciliar historiography.¹¹⁸ But ac-

¹¹⁷ Οἱ αὐτοὶ πατέρες συνασθροισθέντες ἐπὶ Ἰουστινιανοῦ υἱοῦ Κωνσταντίνου, τοὺς προδηλωμένους κανόνας ἐκτεθείκασιν... οἱ αὐτοὶ καὶ ἐπὶ Ἰουστινιανοῦ τῷ παρόντι χάριτι ὑπέγραψαν ὡς δῆλον καθίσταται ἐκ τῆς ἰδιοχείρου ἀπαρλλάκτου ὁμοιότητος: Mansi, 13, 41D. For the Quinisextum at the Seventh Ecumenical Council, cf. H. Ohme, "Das Quinisextum auf dem VII. ökumenischen Konzil," *AHC* (1988), pp. 325-44.

¹¹⁸ In 1665 Chr. Lupus struck the note which still sounds today when he discovered "an obvious error" in the words of Tarasios. It is clear to see that the signatures say nothing: "Manifestum errorem continent haec verba sancti Tharasii..."; "Secunda quaestio, an eidem revera Episcopi fuerint in utraque Synodo? Respondeo non fuisse. Liqueat ex subscriptionibus..." *Synodorum Generalium ac Provincialium Decreta et Canones* (Louvain, 1665), 2, p. 1072. M. Le Quien then used this argument in his "Panoplia contra Schisma Graecorum" under the pseudonym St. de Altamura (Paris, 1718) p. 130, but interestingly only mentioned the non identical patriarchs. Finally, J. S. Assemani presented this point exhaustively. Tarasios' thesis is simply false, as the signatures clearly indicate; no bishops from the synod of 680/1 took part at the

according to my count, there are fifty-five bishops whose names are found at both synods.¹¹⁹ Naturally, the same name does not always mean that it is in every case the same person. Not even Tarasios himself claimed the identity of every participant - one should not insinuate any longer that he did—but rather stressed the similarity of the signatures of many fathers which appear on the pages of the lists of both synods (“ἰδιοχείρου ...ὁμοιότητος”). He won his argument not on the point of the similarities of the names, or on how many signatures were identical, but on the visual impression of the original scrolls of both synods with the signatures of the fathers. Thus, his discovery is indisputable and should be evaluated as an important witness for the factual personal identity of most of those fifty-five fathers. So what can now be said about the specific causes of the conflict regarding the Quinisext?

The Causes of the Conflict

Justinian II wanted to make history with an ‘ecumenical’ council. Above all else this synod was to be a continuation and conclusion of the Sixth Ecumenical Council. The *Logos Prosphonetikos* makes this description clear, and it is reflected in the choice of the Trullos in the imperial palace as the meeting place. In addition to that, there is the personal continuity of about fifty-five fathers present at both synods. Basileios of Gortyna’s manner of signing in 681 and 692 indicates that this continuity was sought and personally represented. But with this intention the participants were given specific prerequisites. A continuation of the Sixth Council could not have been only a synod of the eastern half of the empire, but must have brought together all five of the patriarchates represented in 681. With regard to the eastern patriarchates, this goal was achieved. The places reserved in the list of signatures speak clearly about the intention of the emperor; hence the reservation of Thessalonike and Corinth as the most important representatives of Rome in Eastern Illyria; hence, too, the rows left free in the subscription list for the bishops of Ravenna, Sardinia and naturally for Rome. They were all present eleven years previously, and should also be

Quinisextum: “Falsum secundo... id liquet ex subscriptionibus.” “...dum Canones illi in Trullo ederentur, neque consensisse, neque praesentes fuisse.” *Bibliotheca*, 1, 410, similarly 5, 56. The contradiction of the presentation of Patriarch Tarasios has been the standard opinion up to the present. Hefele, 3, 329: “völlig unrichtig.” “Eine Vergleichung der Unterschriften in den beiderseitigen Synodalakten zeigt dies auf den ersten Blick.” V. Laurent, “L’ oeuvre,” p. 22: “une manifeste erreur.”

¹¹⁹Cf. Ohme, “Quinisextum,” pp. 316-20.

now. This imperial attitude is most clearly seen in the place reserved for the Sardinian bishop, whose signature could otherwise have had no rationale. With this intention, it is most likely that these bishops were invited. Those who argue that Rome was not invited must explain how that can be squared with the intention of the emperor.

The sole explanation for a non-invitation of the Holy See would then be an intentional intrigue or a conspiracy against Rome. In fact, this is suspected in the previous presentations.¹²⁰ Such an interpretation of the historical conflict clearly stems from a one-sidedly negative impression of Emperor Justinian II and a superficial emphasis of the so-called "anti Roman" canons. The assumption of an intrigue appears to have arisen from an outdated way of interpreting conflicts with the Byzantine east. Of greater significance, in my opinion, is the silence of the *Liber Pontificalis* on the whole matter. One could hardly have missed this argument in the Lateran if no invitation had ever reached Rome.

But if Rome was invited, then why did its representatives not participate in the council? Pope Sergius' refusal simply to receive the records lets us conclude that their contents were already known to those in the Lateran. This could also have been the case with the arrival of the invitation. The drawing up of the 102 canons in Constantinople would not have happened overnight, but took a longer period of time, in which a papal "apocrisarios" (who as early as 687 can be documented¹²¹) could have gained some idea of the work in progress. Perhaps Rome did not comply with the invitation simply out of concern that an attitude of rejection and correction in canonical matters would have been more difficult in the presence of the emperor than the possibility of changes or improvements afterwards.

Rome's absence, however, put the imperial intention in question. The harshness of the emperor's action against Sergius I thus makes sense. Now a reason for the conclusion of the council must be found that, to a certain extent, would rescue the conciliar enterprise and offer a precedent for further action. This reason was found in the council of 381. But with this

¹²⁰ E.g., Langen, *Geschichte*, 2, p. 588f: "Seine (the emperor's) weitergehende Tendenz war ohne Zweifel jene, die römische Oberherrschaft über die orientalische Kirche zu brechen, und gleichsam für die Niederlage, welche dieselbe durch das sechste Konzil erlitten, sich dadurch zu rächen, dass er die orientalischen Kirchengesetze zu massgebenden für die ganze Kirche zu machen versuchte." "An den Papst erging also keine Einladung."

¹²¹ He was mentioned in the "iussio" of 17 February 687. Mansi, 11, 237, 4; Grumel, *Régestes*, p. 315.

action and the related conciliar proceedings, Justinian II was brought to a situation which appeared to justify an even more fundamental and broad-ranging rejection of the Holy See. Now the problem arises of the relation between ecclesiastical and secular action at "ecumenical" councils.

It is the ecumenical self understanding of the council that proved to be one of the essential reasons for the burdens which the Quinisext had as a consequence for Constantinople's relations with the Roman bishop. A certain consensus as to the nature of an ecumenical council crystallized in a long process only after 533. A clarification was achieved, however, in the dispute during the Seventh Ecumenical Council about the iconoclastic synod of Hieria (754).¹²² Corresponding to that¹²³ are the following elements constitutive of an ecumenical council: papal "participation" by representatives or encyclicals, "agreement" of the other patriarchs, and reception in the "Oikoumene" and agreement with the tradition of the Church. So in this dispute the principle of the so called pentarchy was finally accepted, whereby participation and agreement of the five patriarchs belongs to the convening of an ecumenical council.

But along with this there is a strand of conciliar thought in the Byzantine empire, some 200 years in the making, which maintained as criteria for ecumenical synods that by imperial decree the bishops of the whole territory of the Roman state should be present or represented, and that decisions affecting matters of faith should be on the agenda. This conception can be documented before the synod of Hieria in the anonymous Council Synopsis¹²⁴ with the title "On the Holy and Ecumenical and Local Synods," compiled shortly after 553; in a work of Patriarch Germanos of Constantinople (715-730);¹²⁵ and now also as an important stage of development at the Quinisext Council. From the very beginning, this council considered itself to be ecumenical, even though without the participation of Rome. In the foreground, on the other hand, stands the person of the emperor. According to his *Logos Prosphonetikos*, the Trullanum was Justinian's event with the bishops in recognition of the responsibility for the Church which God had entrusted to the emperor. Corresponding completely to this understanding, the Logos declared as the sole explication of the synodal epithet "ecumenical", "that which had been convened accord-

¹²² H.J. Sieben, *Die Konzilsidee in der alten Kirche* (Paderborn, 1979), 319ff.; 357-79.

¹²³ Mansi, 13, 208E-209A; cf. on this Sieben, *Konzilsidee*, p. 319 f.

¹²⁴ Edited by Benesevic in *Sbornik*, p.73-79. On this cf. Sieben, *Konzilsidee*, p. 357ff.

¹²⁵ In his work *Περὶ αἰρέσεων καὶ συνόδων*. Sieben, *Konzilsidee*, p. 369 f.

¹²⁶ ἡ κατὰ θεῖον νεῦμα καὶ θέσπισμα τοῦ εὐσεβεστάτου ὑμῶν κράτους συναθροισθεῖσα: CCO 101, 18-21.

ing to the divine sign and guidance of your most holy majesty."¹²⁶

Accordingly, the synopsis of councils in c.1 of the Quinisext—as it was done at Hieria—refers to the emperor alone as the organizer of the six ecumenical councils; the cooperation of the Holy See is no longer mentioned.¹²⁷ The presentation there of the Sixth Ecumenical Council may well have seemed particularly strange to Rome. The essential and abiding contribution of the Roman Church in overcoming the imperially encouraged monothelite heresy is here completely missing, and the sole mention of Rome appears in the naming of Pope Honorius in the list of heretics. But the Sixth Ecumenical Council considered itself to be a “joint venture of the emperor and the pope,”¹²⁸ as the *Logos Prosphonetikos* of 631 clearly indicates.¹²⁹

It was presumably this understanding of an ecumenical council, documented in the records of the Quinisext, which called forth Rome's opposition. The priority of the imperial signature ahead of all the bishops, unheard of before or since, is an unparalleled indication of this definition of ecumenical. It sheds light on the significance attached to the clarification of the problem on the Roman side. It indicates, as well, that with all the readiness to compromise in canonical matters and with the very probable recognition in principle of the canonical work of the Quinisext by Pope Constantine I, no pope was ever ready to sign his name to the council and thereby sanction this kind of conciliar thinking. For Rome, the Trullanum took place only “quasi-synodically.”¹³⁰

Justinian II took the second step before the first when he affirmed the decisions of the Quinisext and gave them legal status for the whole “oikumene” before he had secured the agreement of all the patriarchs. Thus, the conciliar process of an ecumenical synod was placed in question. It was no longer only the duty of the secular powers to administer an ecclesiastical decision of the bishops by their affirmation with care and enforcement in the Christian empire. Now, of all things, the Roman bishop should give the appearance of ecumenicity to an already imperially sanctioned conciliar decision by adding his name in six places. This change of

¹²⁷ CCO 112, 13; 113, 12; 114, 13; 115, 10; 116, 15; 117, 18. This was noticed by Siebenc *Konzilsidee*, p. 349, who elsewhere in his research on the development of conciliar thought ignored the Quinisextum.

¹²⁸ *Konzilsidee*, p. 348.

¹²⁹ Mansi, 11, 661A-64 A.

¹³⁰ *Liber Pont.*, 1, 373, 1f.

protocol was not only a lapse in formality and a break with conciliar tradition; it meant a basic transformation in the order of ecclesiastical and secular activity in the affairs of the Church of significance for the oikoumene. Roman consent would have meant approval of this idea of an ecumenical council. As a further step, it is conceivable that an emperor, without the participation of the patriarchates, could call a council and have its decisions signed by any number of bishops who had been summoned, and then secure - by whatever means available - the signatures of the five patriarchs. This was later precisely the case in Hieria. So, with respect to the conciliar thinking which undergirded it and its corresponding conciliar proceedings, the Quinisext belongs to a strand of development in conciliar thought in the Byzantine empire which one must call misguided. The Roman opposition to this "idea" and the action of the emperor after 692 should be evaluated in this light.

Thus, it is clear to me that the historical conflict about the Trullanum cannot be understood primarily on the basis of its canonical material. This moved to the foreground of the dispute only later, and at the cost of its historical awareness. In the seventh and eighth centuries, if not later, there was still willingness to compromise on both sides. The understandable reasons for the pope's refusal to sign are: 1) The placement of the bishops of Eastern Illyria in the list of signatures; and 2) the proceedings of the council and the idea of an ecumenical council which informed them. These modest historical findings should not be lost from view in future "ecumenical" evaluations of the "Concilium Quinisextum".

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The Council in Trullo: A Roman Catholic Perspective

FREDERICK R. McMANUS

It is a pleasure for me to begin with a word of gratitude for being invited to be the Roman Catholic participant in this significant conference. It is all the greater pleasure for me because of the presence of esteemed friends and colleagues, past and present, from the American bilateral Orthodox-Catholic dialogue.

My brief is to speak to the Roman Catholic perspective, historical and ecumenical, on the discipline of the Penthekte or, as we Latins call it, the Quinisext Council in Trullo. It is the perspective of a canonist of the Latin Church, a canonist from one of the local churches of the Roman patriarchate.¹

It will be, moreover, a largely twentieth-century perspective. This is another way of saying that, as a non-historian, I certainly shall not offer any new historical insights.

I approached the potential breadth of the topic with some misgivings. My knowledge of the Second Synod in Trullo, the Sixth Ecumenical Council, part two — even the designation has its own uncertainties, not to mention the date — has been rather general. It has been confined on the one hand to

¹ While Western Catholics are not necessarily uncomfortable with the terminology, "Roman Catholic Church" — meaning the Catholic Church in full communion with the Apostolic and Patriarchal Roman Church, the term is not used in an official way. Instead we ordinarily say "Catholic Church," embracing both the Latin Church (of the Western or Roman patriarchate) and, of equal status with the Latin Church, the several Eastern Catholic Churches. The latter, considered to be *sui iuris* or autonomous, are not properly referred to as the Roman Catholic Church, despite their full communion with the Roman See. With reference to these churches, the terminology of "uniatism" (practice, theory, ideology) and "uniate" (descriptive of persons and churches) has become pejorative and even offensive.

broad study of Western canon law, the canon law of the Roman patriarchate, and on the other hand to serving as dissertation reader, some years ago, for a thesis about the celebrated canon 72 of Trullo on mixed marriage.

My first task, it seemed, was to reread the actual text of the canons, not their summaries or epitomes or selective issues.² And the first point to be made now is how far removed we are from the mentality and culture, even the religious mentality and culture, of the end of the seventh Christian century. We readily recognize the same Christian faith, but the canons are disciplinary. We recognize the underlying issues of church order, ministry, and even moral challenges. But we cannot make an easy application of our twentieth-century categories.

My colleague in this conference, Professor John Erickson, has neatly summed up the ancient appreciation of church discipline, whether stated by councils or primates, as not attempting "to 'make' laws but rather to 'find' the Church's canon, whether in scripture or in tradition."³ Even when by the seventh century new concepts of canon or rule or lawmaking might have developed, the sense of seeking and renewing, of discerning and declaring the older traditions and usages of church order remained strong, certainly in the style of the Council in Trullo. To put it differently, the bishops of the Penthekte hardly thought they were innovating. Rather, as revealed especially in canon 2, they were affirming past disciplinary traditions—however much they allowed for changed circumstances and developments.⁴

The notion of lawmaker or legislative synod, if we may even use such terminology, is that of the body that proclaimed or promulgated the discipline it discovered, maintained, or found necessary—but did not create or innovate. Perhaps a later, medieval Western analogy is to be found in the

² English versions are now rather archaic in language. The text used in this paper is that edited by Henry R. Percival in 1899, *The Seven Ecumenical Councils*, vol. 14 of *A Select Library of Nicene and Post-Nicene Fathers*, second series (reprinted, Grand Rapids, 1974) (hereafter, Percival). See "The Canons of the Council in Trullo: Often Called the Quinisext Council, A.D. 692," pp. 355-408. Another English translation, dating from 1908, is by D. Cummings in *The Rudder (Pedalion)* (Chicago, 1957), pp. 287-412: "Concerning the Holy and Ecumenical Quinisext (or Quinisextive), i.e., Fifth-and-Sixth or Rather to Say Sixth Council." For a modern critical edition of the Greek text, see below, note 18.

³ John H. Erickson, *The Challenge of Our Past* (Crestwood, 1991) p. 15.

⁴ As will be mentioned below, it was canon 2 that Pope John Paul II cited in 1990 in promulgating a code of canons for the Eastern Catholic Churches. See below, notes 34-35.

Thomistic definition of law as what is published or announced or promulgated, but not necessarily created, by the multitude or the prince or, in the church community, by synod or bishop or primate.⁵ Rereading the canons of Trullo certainly brings to mind an analogous situation for the learner today: the need to avoid anachronistic judgments just as contemporary biblical scholarship has taught us not to apply nineteenth-century principles of historiography to the Holy Scriptures. Perhaps there is an analogy here not to be overlooked in any overview of the canons of the council in Trullo.

As examples of what is as fresh as ever in the canons of Trullo I mention the canons on the proper life of the ordained ministers of the Church,⁶ concerns over simony (22-23), episcopal responsibility for preaching on Sundays (19), the rules if not the details for the life of monks and nun and hermits (40-49), the penalty for procuring abortion (91), the precept of Sunday observance (80)—with harsher penalties for non-observance than we would enforce today. The concern over bringing grapes and milk and honey to the altar (28, 57) can even be said to find an echo, unlikely as this seems, in the 1969 General Instruction of the Roman Missal—which prescribes that gifts other than bread and wine be placed aside in an appropriate place, never on the altar.⁷ The prescription of the paschal fast extending to midnight of Holy Saturday (89) is echoed in the (failed) effort of the Second Vatican Council in 1963 to restore the same observance.⁸

As examples of what is far removed from our experience, I mention the elaborate public penances for those guilty of adultery (87), the implicit acceptance of slavery before manumission (85), the prohibition of com-

⁵ Thomas Aquinas, *Summa Theologica*, 1-2, q. 90 (*de legibus*), art. 4 ad 1. In the context of the necessity of promulgation of law, a formal definition of law is given: "an ordinance of reason, and promulgated by the one who has the charge of the community." ("... quaedam rationis ordinatio ad bonum commune, et ab eo qui curam communitatis habet promulgata.")

⁶ E.g., canons 3-6, 9-10, 12, 14-15, 26-27, etc. Hereafter, the numbers of the canons of Trullo are given in the body of the text, in parentheses.

⁷ *Missale Romanum* (1969), institutio generalis, n. 49: "This [the preparation of the gifts] is also the time to receive money or other gifts for the Church or the poor brought by the faithful or collected at the Mass. These are to be put in a suitable place, but not on the altar."

⁸ Constitution on the liturgy, *Sacrosanctum Concilium*, December 4, 1963, n. 110: "... let the paschal fast be kept sacred. Let it be observed everywhere on Good Friday and, where possible, prolonged throughout Holy Saturday, as a way of coming to the joys of the Sunday of the resurrection with uplifted and welcoming heart."

municating the dead (83), the reprobation of the Armenian requirement of priestly descent for ordination (33) and other alleged Armenian usages (32, 99), the prohibition of certain relationships with the Jews (11), the condemnation of specific superstitious abuses (61-62) couched in terms far different from ours—although we still have our twentieth century sooth-sayers and purveyors of strange potions.

What I have said thus far constitutes a cautionary introduction. It is especially important because, as we recognize both the tradition and the Christian values embodied in the canons of the Trullan Synod, we also see them as disciplinary questions, very much conditioned by time and culture, a matter to which I will return.

I propose in this presentation to deal summarily with three matters:

1. The curious story of the reception or non-reception of the 102 canons of Trullo in the West, whether in the centuries before the definitive break between East and West or thereafter.

2. A twentieth-century case study of canon 72 as seen from the Latin perspective, not in itself as a marriage impediment (whether invalidating or merely prohibiting), but rather as an example of progressive ecclesiological understanding, that is to say, with an updating to the Roman Catholic judgments of today: more responsible, temperate, and Christian than in the past.

3. Some species of ecumenical lesson and guidance from the canons of Trullo themselves, looked at as a whole and seen as evidence of the changing character, the contingent nature, of church order and discipline.

HISTORICAL RECEPTION IN THE WEST

Although the Synod in Trullo asserted its nature as an ecumenical council and has been so received in Orthodoxy to this day, it has not been counted as the seventh council, but rather as the disciplinary completion of the fifth and sixth councils — satisfying the imperial will that disciplinary canons be added to the teachings of those two councils and that they be accepted, chiefly from traditions of the past.

In the West, however, it seems at the very least that the reception and thus the ecumenicity were always clouded. Contemporary scholarship in the Latin Church still reflects this. The clearest evidence is perhaps found in the best critical edition of the canons and decrees of the ecumenical councils in Greek and Latin, done at Bologna just after the Second Vatican

Council. A 1990 edition of the collection incorporates a very welcome English version, edited by Norman Tanner.⁹

This excellent edition of the conciliar documents would hardly be accepted in its totality in the Orthodox Church: the volume includes also the general councils held in the West, from the First Lateran in 1123 to the Second Vatican in 1962-1965, which we consider ecumenical. But this is not the question. After the Sixth Ecumenical Council, Third Constantinople of 680-81, there is just a bare note to say that the approval of the canons of Trullo by the Bishop of Rome is still under dispute. And the text of the 102 canons is simply omitted.

Contemporary judgment, whether of a Lutheran scholar like Georg Kretschmar or of Catholic popularizers and encyclopedias, is simple enough.¹⁰ The Penthekte Council and its canons, supplementary or complementary to the Third Council of Constantinople held a decade earlier, have never been properly received in the West as ecumenical, that is, of universal force in both East and West.

Sometimes of course Catholic polemicists and even respected church historians have gone much further, beginning with the Venerable Bede, who called it an erratic council. At the beginning of this century, for example, the erudite historian Adrian Fortescue approached the matter in a spirit we would not consider irenic or ecumenical in tone:

... most of the new [canons of Trullo] show open hostility to Rome. These bishops, claiming to form an oecumenical synod, want to make the whole Christian world conform to the uses of Constantinople. Everything that the Armenians do that is not done by the Byzantines is condemned; but especially are all Latin customs anathematized ... now these Easterns want to excommunicate us for our greater strictness [in the discipline of clerical celibacy] ... We must remember that these bishops meant to legislate for the whole Church. Most astonishing of all is the fact that they then tried to get the Pope's signature to their Canons.¹¹

⁹ *Decrees of the Ecumenical Councils* [*Conciliorum Oecumenicorum Decreta*], 2 vols. (London, 1990). The reference to Trullo is on p. 122*, where it is stated that the canons "have been regarded as decrees of an ecumenical council in eastern canon law; their approval by the pope is disputed."

¹⁰ Georg Kretschmar, "The Councils of the Ancient Church," in *The Councils of the Church: History and Analysis* (Philadelphia, 1966) pp. 62, 69. In the *New Catholic Encyclopedia* there is a brief article entitled "Quinisext Synod" by Francis X. Murphy (12:30), as well as another dozen articles or entries in which the council is mentioned — all taking for granted its canonical weight in the East and its lack of reception as ecumenical in the West.

¹¹ *The Orthodox Eastern Church* (London, 1907) pp. 94-95.

These grossly intemperate exaggerations are, happily, a thing of the past. But the fact remains that scholarly perceptions, as represented by the Lutheran Georg Kretschmar, for example, and general works such as that by Leo Donald Davis¹² are clear: there is no certain evidence of the recognition of the ecumenicity of Trullo in the West — however much its canons are properly recognized in the Latin Church as the authentic, legitimate canonical tradition of the Orthodox Church.

The original reason for Latin rejection is not hard to find and perhaps explains the colorful accounts of Pope Sergios I (687-701), saying that he preferred death to signing the canons sent to him by the Emperor Justinian II, not even keeping his copy. Some of the canons are in clear opposition to Roman usage. Most notable are the canons against the Lenten fast on Saturdays (55), an observance continued in the Latin Church until 1966,¹³ and against the imposition of celibacy on deacons and presbyters (3, 6, 12, 13, 30, 48) — in both cases with explicit, negative reference to the practice of the Romans. The reiteration of canon 28 of Chalcedon (36), much as it may be interpreted as tolerable in the West, is of course another explanation of such rejections and even of the ninth-century compromise of Pope John VIII (872-882). The latter is said to have accepted the canons in such a way that “none of them may be received which are opposed to the earlier canons or decrees of the holy bishops of this see [of Rome] or are certainly opposed to good usages.”¹⁴

Yet for all this and later misgivings, many of the canons seem often enough to have been received and understood to be the disciplinary completion of the Sixth Ecumenical Council. A medieval *dictum* in the West tried to palliate the Trullan opposition to Roman clerical celibacy (and Western opposition to Trullo) by saying of canon 13:

This is to be understood, however, as a local [“regional”] matter, since the

¹² Leo Donald Davis, *The First Seven Ecumenical Councils (325-787): Their History and Theology* (Wilmington, 1987) pp. 285-287.

¹³ Paul VI, apostolic constitution *Paenitemini*, February 17, 1966: *Acta Apostolicae Sedis* 58 (1966) 177-98.

¹⁴ Percival, p. 357. A succinct summing up of the matter as it stood in the generation after Trullo is given by the Anglican church historian in a course of review of Heinz Ohme's *Das Concilium Quinisextum und seine Bischofsliste: Studien zum Konstantinopeler Konzil von 692* (Berlin and New York, 1990): “It is probable that Pope Constantine [708-715] agreed not to object to the validity of the Quinisext canons for the eastern churches, but would not have put his signature to the canons if that implied their validity for the West; *Journal of Theological Studies* 43/1 (1992) 271-73.

Eastern Church, for which the Sixth Synod prescribed this rule of life, did not receive a vow of chastity from the ministers of the altar.¹⁵

Perhaps this is strange reasoning, but at least it is mild tolerance for canon 13. The canon, after all, purported to depose those who compel presbyters and deacons to give up their wives or the presbyters and deacons themselves who do this on pretext of piety. More notable in the medieval explanation is the designation of the canons as coming from the Sixth Ecumenical Synod or Council, a sign of continuing acknowledgement in the West of Trullo's authenticity, at least for the East. The canons had not been "literally shelved," as a modern writer puts it, "enrolled in the archives of the Roman Church."¹⁶

A nineteenth-century Roman editor of the canons of Trullo acknowledged that the canons had had the force of law among the Greeks for more than a thousand years and found some eighteen instances in the Western medieval canonical tradition which demonstrate concord with the Trullan canons.¹⁷ Again, a twentieth-century Roman editor of the 102 canons would see in the guarded and perhaps ambiguous language of John VIII the key to the limited Roman recognition of Trullo — all the way from Roman reception of the Seventh Ecumenical Council, which appears to have embraced the Trullan canons in 787 (II Nicaea, canon 1), to Pope Sixtus V in the sixteenth century (1585-1590).¹⁸

It would be premature to suggest that this picture is clear or that all the discipline of Trullo, even as modified over the centuries, could be thought of as common to East and West. Yet we may regret that the canons are not at least appended to our Latin Church editions of the ecumenical councils.

It is at the same time a happy anomaly that modern critical editions of the canons of Trullo, in Greek and Latin, have twice been published under the sponsorship of the Bishop of Rome: by Pope Pius IX a century ago and, in this century, as a part of the project of Popes Pius XI and Pius XII when sources were being assembled and published in preparation for the

¹⁵In the first Part of the *Decretum Gratiani*, dist. xxxi, c. 13, quoted in Percival, p. 372.

¹⁶E. I. Watkin, *The Church in Council* (London and New York, 1960) p. 74.

¹⁷Jean Baptista Pitra, ed., *Iuris ecclesiastici graecorum historia et monumenta iussu Pii IX pont. max.* (Rome, 1864-1868), pp. 2-3.

¹⁸Périclès-Pierre Joannou, ed., *Discipline Générale Antique* in the first series of *Fonti* of Eastern canon law. Vol. 1, part 1, *Les canons des conciles oecuméniques* (Grottaferrata, 1962) has the critical Greek text, Latin version, and French translation of the 102 canons of Trullo, pp. 98-241. See pp. 98-100 for Joannou's summary assessment.

Code of Canons of the Eastern (Catholic) Churches¹⁹ And in 1990, as I shall mention later, Pope John Paul II began his apostolic constitution promulgating the new collection of canons for the Eastern Catholic Churches with an explicit citation of the canonical discipline of the Penthekte or Quinisext Council in Trullo.

THE ROMAN CHURCH AND CANON 72

Next, as a second topic, I wish to describe a kind of case study involving the recent, developing posture of the Roman Church concerning canon 72 of Trullo. In that canon the marriage of Orthodox Catholic believers with heretics is declared null and void.²⁰ The period to be covered, hurriedly I fear, is from 1958 to 1972 — and indeed all the way to the present. In this I rely largely upon an important article by a distinguished American canonist, William Wood Bassett, now of the University of San Francisco Law School²¹ and a doctoral dissertation by John J. Myers, now Bishop of Peoria.²² The article goes up to 1969; the dissertation was published in 1977.

To begin with, I do not intend to enter into the troubled interpretation of the 72nd canon on its own merits or in itself. That will surely be better treated by another presenter in this conference, the Rev. Dr. Patrick Viscuso.

Rather, I am concerned to describe what happened in Roman jurisprudence. In the late 1950s the dicasteries of the Roman curia began to hold, on theories of jurisdiction, that the faithful of the Orthodox Church were bound to canon 72 in the sense of its being an invalidating or diriment impediment to marriage with a baptized heretic. In taking this position they were refusing, as it were, to take into account or to accept any legiti-

¹⁹ This is the edition of Joannou referred to in the preceding note; the nineteenth-century edition is that by Cardinal Pitra, cited in note 17 above.

²⁰ Canon 72 reads in part: "An orthodox man is not permitted to marry an heretical woman, nor an orthodox woman to be joined to an heretical man. But if anything of this kind appears to have been done by any [we require them] to consider the marriage null, and that the marriage be dissolved . . ." (Translation in Percival, p. 397.) The history of how this canon has been received in the Eastern canonical tradition — as a prohibiting, "impeding" impediment or as a nullifying, "diriment" impediment, to use Latin terminology — does not affect the considerations in the second part of this paper.

²¹ William W. Bassett, "The Impediment of Mixed Religion of the Synod in Trullo (A.D. 691)," *The Jurist* 29 (1969) 383-415.

²² John J. Myers, *The Trullan Controversy: Implications for the Status of the Orthodox Churches in Roman Catholic Canon Law*. Canon Law Studies, n. 491 (Washington, 1977).

mate development in the Byzantine canonical tradition or its interpretation after the eleventh century comparable to the development in the Latin Church — in which marriage with a heretic has long been judged unlawful but still valid.

Let me say at once that this jurisprudence of the 1950s and 1960s, in its application to the validity of marriages, was in no slightest way an attempt to meddle in the practices or polity of the Orthodox Church during that period. It arose or was developed, one might say, from the highest pastoral motives, namely, to resolve — according to the canonical procedures of the Latin Church — some concrete marriage cases. The cases were those of Roman Catholics desirous of marriage with an Orthodox who had been previously married to a Protestant or those of Roman Catholics desirous of marriage with a Protestant who had been previously married to an Orthodox. In other words, the issue was the freedom of the Orthodox or the Protestant, in our Latin eyes, to marry. The purpose, to relieve consciences and to achieve canonically recognized marriages, was sound and admirable; the theory on which it was based, we would now say, was deplorable.

In modern times, whatever the failures in practice, the position of the Bishop of Rome has been to affirm, assert, and asseverate the legitimacy of the Byzantine canonical tradition and indeed of the several Eastern canonical traditions. In 1959, however, a theory was advanced by a celebrated Eastern Catholic canonist and major Roman curial official, Acacio Coussa.²³ It was that this legitimacy of Eastern canon law extended only to the canons in force prior to the eleventh-century break between Rome and Constantinople, that is, the reciprocal excommunications now happily cast into oblivion by Pope Paul VI and Ecumenical Patriarch Athenagoras. To put it differently, it was Coussa's doctrine that any modification in Eastern canon law subsequent to 1054 was invalid without the intervention and approbation of the Bishop of Rome.

With this unhappy premise, Coussa's logic was impeccable when he applied the doctrine to canon 72, understood by him as an invalidating impediment to marriage between the Orthodox and heretics, including Lutherans, Anglicans, and Protestants of any shape or kind.

In fact Coussa carried the matter further: when in 1949 Pope Pius XII promulgated a code of matrimonial law for the Eastern Churches and ex-

²³ Acacius Coussa, "Animadversiones in Can. 72 Trullanae Synodi seu de mixta religione tanquam impedimento dirimente in disciplina Ecclesiae byzantinae," *Apollinaris* 32 (1959) 170-81. The brief article is clearly and forcefully argued, whatever the problems of its ecclesiology.

plicitly listed marriage with a heretic as a merely prohibiting or impeding but not invalidating impediment²⁴ then the Eastern Churches, including the Orthodox, were from that moment freed from the invalidating consequences of Trullan canon 72. Again, a perfectly logical conclusion from a grievously flawed premise.

In effect, this was to argue that at least from the 690s until 1949, indeed until May 2, 1949, the feast of Saint Athanasios, the marriages of the Orthodox with heretics were canonically invalid—however much the Eastern canonical tradition might have changed. Underlying this, it goes without saying, was a broader and more profound ecclesiological doctrine, namely, one that denied the existence among Orthodox hierarchs of what we Latins call the power of governance or jurisdiction or regimen. This position was coupled with the theory that demanded the intervention of the Bishop of Rome for any change in the Byzantine law or discipline.²⁵ In fact, it would be Coussa's position that the partial Code of Eastern Canon Law, promulgated from 1949 to 1957 by Pope Pius XII, bound equally the Eastern Catholic Churches and the other Churches of the East that are not in full communion with the Apostolic Roman See.²⁶

²⁴Pius XII, *motu proprio Crebrae allatae*, February 22, 1949: *Acta Apostolicae Sedis* 41 (1949) 89-119. Canon 50 (among the canons on prohibiting — but not diriment or invalidating impediments in the Eastern Churches) reads: "The Church everywhere prohibits most severely two baptized persons, one of whom is a Catholic, the other enrolled in a heretical or schismatic sect, from entering marriage; but if the danger of perversion [of faith] of the Catholic spouse or offspring is present, the marriage is prohibited by the divine law itself." Canon 72 of Trullo is not given among the sources of this canon. On the other hand, canon 60, § 1, of *Crebrae allatae* (among the canons on diriment or invalidating impediments) has canon 72 of Trullo in its list of sources for the simple norm: "The marriage of a non-baptized person with a baptized person is null." Perhaps the distinction reflects a more nuanced understanding of canon 72, or at least of its customary interpretation in Eastern practice, better than Coussa.

²⁵See *nota explicativa praevia*, prepared by the Conciliar Doctrinal Commission, approved by the conciliar fathers, and appended to the constitution on the Church, *Lumen gentium* (November 21, 1964), by direction of Pope Paul VI. The text formally acknowledged the de facto exercise of canonical or jurisdictional power by Eastern hierarchs, whatever the explanations of theologians. The more explicit recognition of the power of governance in the Orthodox Church and other Eastern Churches will be described below, at notes 29 and 30.

²⁶Pope Pius XI (1922-1939) initiated and Pope Pius XII (1939-1958) promulgated, in part, what was projected as the "Code of Eastern Canon Law," largely in imitation of the first Code of Canon Law of the Latin Church of 1917.

I hope it goes without saying that today, less than four decades later, this position would be considered totally unacceptable. No Western council and no Roman pope had ever denied the governing authority of the hierarchs of the East; we know how sensitive Florence and Trent were on this matter, if not on others. The theory of Coussa seemed to be that repeated Roman assertions of the authenticity and force of Byzantine and other Eastern canonical discipline meant only that discipline as it was nine hundred years ago, unchanged by any intervening Eastern synods or hierarchs, unchanged by the customs of the Spirit-filled community.

Of course, even in the 1950s this was not the opinion of all Latin Church canonists. From the time of the 1917 Code of Canon Law of the Latin Church, canonists beginning with Pietro Gasparri, the editor and father of that code, had recognized the true jurisdiction of Orthodox hierarchs. Myers mentions others who agreed, such as Maroto, Deslandes, and Metz, but he also notes the increasing tendency to judge the Eastern Churches in terms of Latin jurisdictional constructs—some going so far as to insist that all episcopal jurisdiction was derived from the Bishop of Rome, something not asserted by either the First Vatican Council or the 1917 code.²⁷

All this was in the realm of theory, however papalistic or ultramontane it might be judged even within the Latin Church. Concretely, beginning at least in 1958 and running through 1966, two of the Roman dicasteries settled matrimonial cases arising in American dioceses and involving Orthodox-Baptist, Orthodox-Lutheran, and Orthodox-Anglican marriages—apparently in accord with Coussa's doctrine.

Next, special commissions of Roman cardinals issued contradictory decisions, in 1964 and 1968, on the broader question whether the 1949-1957 Eastern code applied to the Orthodox. The final decision that it did not so apply had the anomalous effect—partially in accord with the Coussa doctrine—that canon 72 of Trullo was still considered to be an invalidat-

The project was resumed by Pope Paul VI in 1972. Meanwhile, the Latin Church's code was being thoroughly revised in the light of the Second Vatican Council; it was promulgated in 1983 by John Paul II. The "Code of Canons of the Eastern [Catholic] Churches" finally appeared in 1990. It is still parallel to, and with almost half of it derived directly from, the Latin Church's code, but it shows much greater sensitivity to the Eastern canonical tradition than the 1927-1957 project. See above, at note 4.

²⁷Myers, pp. 35-41. The very brief summary of the Roman curial decisions that is given in the next three paragraphs is derived from the careful study by Myers, chapter 3, pp. 58-92, and chapter 5, pp. 118-180. Myers lists some eighteen Roman "rescripts and decisions" in his bibliography, p. 206-07.

ing impediment for the Orthodox but no longer for Eastern Catholics.

To complete the story, while trying to avoid the convolutions of Roman curial structures, the succeeding cases from 1967 through 1972 were considered not by the non-judicial dicasteries or congregations but by the two tribunals of the Roman See, the Rota and the Signatura. Such tribunals are bound by their procedures to explain the reasons for their decisions. Myers describes some eleven cases, ultimately concluding that in fact canon 72 could no longer be employed as if the Orthodox Church lacks the capacity to govern itself. Without entering into detail, we can say that ultimately the position espoused by William Bassett in 1969 carried the day. After careful argumentation and basing his position on the teaching of the Second Vatican Council, he had mildly concluded:

... the Orthodox hierarchies possess a degree of true ecclesiastical jurisdiction over the discipline of the sacraments regarding their own faithful. The Orthodox churches are thus communities capable of changing the laws regarding matrimonial impediments or, at least, of inducing over the passage of years a contrary custom as would allow anachronistic laws to fall into desuetude.²⁸

Let me conclude this summary by responding to the question: how had the Second Vatican Council changed the position of Latin Church canonists and even the often reluctant dicasteries of the Roman See?

For one thing, the council—which had scrupulously avoided definitions of dogmas and issuance of anathemas—did use the expression “solemnly declares” a single time, namely, in affirming once for all that the Eastern Churches have had and do have the right and duty to govern themselves according to their own disciplines.²⁹ The general council of 1962-1965 resolved, adequately it seems, any challenge to the legitimacy of Eastern canonical discipline by means of the Decree on Ecumenism³⁰ and it eschewed any effort to substantiate theories such as Coussa’s that applied papal or Western conciliar law to the Orthodox. It formally changed the title of the “Decree on the Eastern Churches” to the “Decree on the Eastern Catholic Churches,” thus providing for the latter a discipline, temporary it is hoped, proper to them alone.

More profoundly, however, the council moved strongly in a direction

²⁸ Bassett, pp. 410-11.

²⁹ Decree on the Eastern Catholic Churches, *Orientalium Ecclesiarum*, November 21, 1964, n. 5.

³⁰ Decree on ecumenism, *Unitatis redintegratio*, November 21, 1964, n. 16, which formally acknowledges “the power [of the Churches of the East] to govern themselves according to the disciplines proper to them. . . .”

more comprehensible to Eastern ecclesiologists and canonists: to affirm that episcopal governance or oversight in the Church derives from the sacramental ordination of bishops coupled with hierarchical communion—rather than being simply a mission or commission from pope or other primate.³¹ This should put to an end any Western thought that the bishops who are placed by the Holy Spirit as true shepherds of their flocks in succession to the Apostles derive their power of governing or shepherding from the Bishop of Rome.³²

Perhaps it is not a pretty picture that so recently canon 72 was the occasion of a more forceful assertion of papal primacy than pope or council had made. But it was also the concrete occasion of bringing the question to the fore. It settled, once and for all, that there must be no denial or denigration of the church order of the sister churches of the East by the Latin Church. A reappraisal of the Council in Trullo suggests a reciprocal respect for the diverse and lawful usages of the Latin and other Churches. This observation (and hope) brings us to the contemporary ecumenical perspective of the Penthekte Council.

THE ECUMENICAL PERSPECTIVE

In third place and last of all, we address some ecumenical dimensions. What reflections upon the Penthekte Council in Trullo and our contemporary church life can serve to alleviate wounds? How can we call upon the Holy Spirit of God to restore us to full communion in the Body of Christ, in particular the Orthodox Church, the Latin Church, and those other sister churches that now affirm communion with the Roman See of Saint Peter and Saint Paul?³³

³¹ Dogmatic constitution on the Church, *Lumen gentium*, November 21, 1964, n. 21.

³² *Lumen gentium* 24; see I Vatican Council, first dogmatic constitution on the Church of Christ, *Pastor aeternus*, July 18, 1870, chapter 3: "This power of the supreme pontiff by no means detracts from that ordinary and immediate power of episcopal jurisdiction, by which bishops, who have succeeded to the place of the apostles by appointment of the Holy Spirit, tend and govern the particular flocks which have been assigned to them." Translation in Tanner, *Decrees of the Ecumenical Councils*, p. 814*.

³³ It is these churches, considered autonomous particular churches in full communion with the See of Saint Peter, that are referred to as the "Eastern Catholic Churches" or the "Oriental Catholic Churches." They are in the Alexandrian, Antiochene, Armenian, Chaldean, and Constantinopolitan (or Byzantine) traditions. For a contemporary summary of their background and extent (along with the Eastern Churches with which the See of Rome is not now in communion), see Ronald B. Roberson, *The Eastern Christian Churches: A Brief Survey*, 3rd rev. ed. (Rome, 1990) pp. 80-118.

First is the strongest Catholic and Roman affirmation of our full acceptance of the autocephalous or autonomous governance of the churches of Orthodoxy. This has just been mentioned in terms of the Second Vatican Council's teaching and the reversal, within a decade or two, of judgments on canon 72 of Trullo. It has been further strengthened by the new Code of Canons of the Eastern Catholic Churches promulgated by Pope John Paul II in October 1990.³⁴

It may seem paradoxical even to mention this 1990 codification, according to which the Eastern Catholic Churches in full communion with the Roman See for several centuries are acknowledged as autonomous, but within severely restricted limits. It is occasion for regret that it is a collection of canons given to those churches rather than a law emanating as a collection from their synods. We may regret too that the studied and good faith effort to respect ancient canonical traditions of the East falls far short in the judgment of many.

Yet the very terms of promulgation are helpful signs: the 1990 papal document begins with something already noted: John Paul II's fresh assertion of the legitimacy of the Eastern canonical traditions, naming in particular the Seventh Ecumenical Council, Second Nicaea, and the Quinisext or Penthekte itself—characterizing canon 2 of that council as “more distinctly circumscribing the sphere” of the Eastern canons.³⁵

More important, the very limitations of the new canons for the Eastern Catholic Churches are acknowledged: for all their current weight, they remain open to the changes expected if in the providence of God the Eastern Catholic Churches come into full communion with the Eastern Orthodox Church and other churches of the East.³⁶ In presenting the code to the Ro-

³⁴ *Codex Canonum Ecclesiarum Orientalium auctoritate Ioannis Pauli PP. Promulgatus* (Vatican, 1990). The code was promulgated on October 18, 1990, and became effective in the Eastern Catholic Churches on October 11, 1991. An English translation has been prepared and published under the auspices of the Canon Law Society of America: *Code of Canons of the Eastern Churches: Latin-English Edition* (Washington, 1992).

³⁵ Apostolic constitution, *Sacri Canones*, October 18, 1991: *Acta Apostolicae Sedis* 82 (1990) 1033-44. Translation in the Latin-English edition mentioned in note 34, pp. xi-xix.

³⁶ *Orientalium Ecclesiarum* 30: “All these dispositions of law [i.e., of *Orientalium Ecclesiarum*] are enacted in view of present conditions until such time as the Catholic Church and the separated Eastern Churches come together in the fullness of communion.” The 1990 constitution *Sacri Canones* of John Paul II reaffirms the intent of the Second Vatican Council: “. . . it is necessary that the canons of the Code of the Eastern Catholic Churches have the same firmness as the laws of the

man Synod of Bishops in 1990, Pope John Paul renewed conciliar and papal affirmation of “great respect” for all the Orthodox Churches, seeing them as “sister Churches” already in “almost full communion with the Church of Rome” (Paul VI).³⁷ Explicitly this is respect — in our context, especially, for hierarchical governance—“for the pastors [in Orthodoxy] as those to whom ‘a part of the flock of Christ has been entrusted’”—the very terminology we employ for the Catholic particular or local churches.³⁸

This conference is not merely to celebrate the thirteen hundredth anniversary of the Quinisext; it looks to the future. It is not difficult for the Catholic Church in full communion with the see of Saint Peter to acknowledge and recognize the baptism and eucharist and threefold ordained ministry of the Orthodox Church or, in the context of my remarks, the authenticity and legitimacy of the canonical governance of the Orthodox Church.³⁹ Can we look for a reciprocal acknowledgement and agreement on those very matters, even as we move forward in exploring theological and ecclesiological questions and seek to restore complete, total, full communion among the churches?

Second, as we summarily review the story and the discipline of the canons of Trullo, we have a fresh reminder of the conditioning of ecclesiastical discipline by time, place, language, culture, history, circumstances — in contrast to our changeless faith in God’s word and revelation. The discipline has changed and will change under the movement of the Holy Spirit of God. This is suggested by the very subtitle of our conference on the council in Trullo: “Basis for Ecclesiastical Reform?”

Code of Canon Law of the Latin Church; that is, that they be in force until abrogated or changed by the supreme authority of the Church for a just cause, of which causes full communion of all of the Eastern Churches with the Catholic Church is indeed the most serious, besides being especially in accord with the desire of Our Savior Jesus Christ himself.”

³⁷ Quoted by Pope John Paul II in his presentation of the Eastern code of canons to the Roman Synod of Bishops, October 25, 1990. See *The Code of Canons of the Oriental Churches: An Introduction* edited by Clarence Gallagher (Rome [The St Thomas Christian Fellowship], 1991) p. 17.

³⁸ Ibid. For the terminology defining the particular church as “a portion of the people of God which is entrusted to a bishop to be shepherded with the cooperation of the presbyterium, II” see the conciliar decree on the pastoral office of bishops in the Church, *Christus Dominus*, October 28, 1965, nn. 11, 28; also *Lumen gentium* 23.

³⁹ See especially, from II Vatican Council, *Lumen gentium* 15 (with references also to papal teaching from Leo XIII to Pius XII), and especially *Unitatis redintegratio* 14-18.

In the Catholic Church, largely due to the theological writings of such teachers as Bernard Lonergan and Karl Rahner, we have become acutely conscious of the contemporary passage from so-called classicism to historical consciousness. Classical consciousness perceives reality as ahistorical, predetermined, culturally innocent, universal, unchanging. Historical consciousness sees reality from the opposite perspective: historical, culturally conditioned, experience-based, diverse, ever changing—only God is changeless.

The movement from one consciousness to another was attested to by the Vatican Council of 1962-1965, from its first decree on Christian worship, encouraging the traditional diversity of liturgical inculturation and accommodation,⁴⁰ to its final pastoral statement on the Church in the face of the world of today, judging but also learning, open to growth even as it proclaims the changeless Gospel.⁴¹ It was evident when the Catholic Church assembled in council adopted, with whatever qualifications, the principle of the seventeenth-century Reformers in the West: the Church of Christ always stands in need of reformation.⁴²

At the beginning I referred to those holy canons of Trullo which speak of unfamiliar conditions, long distant from our own times. Without placing too great a burden on canonical reform of church discipline, we can see its need. It was a Latin Church bishop, a leader at the general council of Vatican II and highly effective in the self-criticism of those days, who spoke of our (western) excesses of triumphalism, clericalism, and legalism. With regard to the latter, the excessive legalism, the charge was true, certainly for the Latin Church.⁴³ And yet sometimes the sacred canons, in their diverse forms and distinct traditions, may serve admirably as the expression and instrument of church life.

If once we reappraise the canonical traditions, with all respect and with admiration for the beauty of diverse traditions, as subject to change, the change itself may be an instrument of ecumenical progress—on the one hand, acknowledging what unites and what divides; on the other hand and above all, not letting the secondary or non-essential or contingent stand as a barrier to Christian unity.

⁴⁰ *Sacrosanctum Concilium* 37-40.

⁴¹ Pastoral constitution on the Church in today's world, *Gaudium et spes*, December 7, 1965.

⁴² *Unitatis redintegratio* 6.

⁴³ This was the position of Bishop Emile de Smedt of Bruges in a remarkable and influential intervention during the first period of the council, in the course of the debate on the draft for a constitution on the Church, December 1, 1962: *Acta Synodalia*, 1, 4: 142-44.

We cannot let the aphorisms of our tradition become mere clichés: in things necessary, unity; in things doubtful, freedom; but in all things charity. And surely among those things not certainly necessary for unity belong instance upon instance of diverse church usage. Simply to read the canons of Trullo is to recognize an application: both the world in which the Gospel is proclaimed and spread and the internal discipline of the churches are subject to change. And reform must place high priority on the things that, for all their desirable diversity, unite us or, in ecumenical terms, move us to the restoration of total communion while respecting disciplinary differences.

Third, I draw your attention to the recent article in *America* on the contemporary Orthodox-Catholic dialogue by Rembert Weakland, Archbishop of Milwaukee.⁴⁴ He once co-chaired our American/bilateral consultation and now co-chairs the fruitful meetings of Orthodox and Catholic bishops in the United States. In effect, the article is a plea that the search for full ecclesial communion not be diluted, much less abandoned, by even the most serious issues and even abuses of a political, economic, or historical nature. Whatever the origins of past unions or reunions—motives and methods perhaps unworthy, sometimes as much a matter of pride and power on both sides or of non-religious purposes as of achieving the communion of the Churches of God—despite this troubled past, it is surely secondary to the search for unity of the Christian people.⁴⁵

Similarly, whatever the mistakes of the past fifty years on both sides and whatever the abuses and aberrations or charges and countercharges in the past few years, the ecumenical enterprise—on a theological and ecclesiological basis—is worthy of distinct and continuing pursuit in the charity of Christ and the power of the Holy Spirit.

It seems to me, by way of a brief conclusion, that this can be the ecumenical lesson from the Penthekte Council in Trullo. The Roman See's recognition of the legitimacy of the council's discipline for the East and

⁴⁴ Rembert G. Weakland, "Crisis in Orthodox-Catholic Relations: Challenges and Hopes," *America* 166 (1992) 30-35.

⁴⁵ The sixth plenary session of the Joint International Commission for Theological Dialogue between the Catholic Church and the Orthodox Church, meeting in Freising, Germany, June 6-15, 1990, took up the matter of the Eastern Churches that are in full communion with the Apostolic Roman See and issued a first statement in a continuing consideration of such questions. Significant as these are in the practical order, they should not limit the ecumenical study of more profound theological issues, including questions of ecclesiology and sacramental theology.

the equal legitimacy of the reform of its discipline by Orthodox customs and synods is a step already taken—despite the sometimes strong language of that council in rebuke of the Latin traditions. The rereading of the sacred canons reveals much that is the continuing and stable discipline of the Eastern Churches and often of all the Churches, much that has developed or changed. The hope is that the sister churches can live side by side in unity of faith and in full communion, with respect for differing usages and the resolution of issues of primacy that now divide us.

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The Council of Trullo and Authority in Spiritual Direction

JOHN CHRYSSAVGIS

"Those who have received from God the authority to bind and loose must examine the quality of the sin and the readiness for repentance on the part of the sinner" (canon 102).

Introduction

There is, with reference to spiritual direction in the Church, no subject more essential—and at the same time more often misunderstood—than that of authority, and this is an area which has not been meticulously charted in Orthodox circles.¹ Unfortunately, all too often we radically distinguish the hierarchy and institution of the Church from the wholeness of spiritual development, a result perhaps of having lost the instinctive sense of the early Church that perceived salvation organically, rather than formalistically or in terms of establishment. There is a need to consider authority and obedience in the context of the entire living and prophetic tradition of the people of God. No sharp distinction should be drawn between the institutional and the spiritual, between the outward and the inner. There can be no contrast or opposition between hierarchy and charisma, between institution and inspiration—either in terms of theory, or with regard to living experience. The official Church never renounced or rejected the rise of prophetic, enthusiastic leadership, despite manifold potential dangers and possible threats from both within and without.

Nonetheless, when we have before us a powerful institution of some seven centuries, such as the Church was at the time of the Council of Trullo, which has for over half of this period also enjoyed the favor of the state, it

¹ This paper draws largely on material from an article in *St Vladimir's Theological Quarterly* 34:1 (1990) pp. 49-60.

is very easy for conciliar statements and canons to be manipulated in order to stifle the freedom and breadth of the people of God. Canon 1 clearly reminds us that: "nothing may be added or taken away from what has been defined." Admittedly, the meaning behind such apparent conservatism is expounded in the very next canon, where we are told that the purpose is to safeguard us against: "those who, through falsification, endeavour to exploit the truth." And canon 30 declares that: "everything should be done with a view to the edification of the Church."

Freedom and Obedience

Now any discussion of spiritual direction has a bearing on the notion of free-will and, therefore, on the nature of the human person. What is at stake is more than an abstract metaphysical position. It is the experience of the condition of sin which is related to freedom in personal communion with God. This is why obedience is nowhere spoken of by the Fathers in terms of normative ethical demands. It transcends mere submissiveness, with which it is commonly confused, for its focus is in the loving trust and personal relationship which in itself reveals the presence of Christ (cf. Mt 18.20). Without this special relationship, one gains nothing from authority but a sense of satisfaction, and nothing from obedience but guilt. Such feelings, however, defeat the purpose of spiritual authority and direction in the Church.

In all ascetical literature and spiritual formation, obedience is considered "the first of virtues." In fact, for monastics in particular, perfect—one might say, blind—obedience is the fundamental prerequisite for all asceticism, being identified with "the mortification of the will" (cf. Phil. 2:8). Indeed, the entire phenomenon of the monastic life would be unthinkable without the basic notion of obedience. Yet this obedience is closely related to free-will, which is not to be destroyed or eliminated but simply redirected and educated. This idea is taken up by the Council of Trullo which refers to the wandering or meandering (πλανώμενον) human will which must be guided back (ἐπαναγαγεῖν).²

Clergy and Laity

The Orthodox Church is a hierarchical church, and this hierarchy is an attribute "corresponding to the imitation of God", reflecting the holy order "even among the celestial beings."³ Yet the Church is not solely hierarchi-

² See canon 102.

³ Dionysios the Areopagite, *The Celestial Hierarchy* 3.

cal in its ministry and service: the Holy Spirit is poured out on all the people of God. Each faithful is considered king, priest, and prophet, while the gifts of the Spirit are many and varied (1 Cor 12.28-30), neither understood as restricted to the ordained ministry nor reduced to the level of obedience alone (cf. 1 Thes 5.9-20). One recalls in this respect the influence in the Christian East of even unordained, lay elders, which was often far greater than that of any hierarch. The sacramental authority of the hierarchy always exists alongside the equally creative authority of the saints, and any arising tension cannot justify the suppression of either one. The hierarchical ministry cannot be correctly interpreted except in relation to the priestly and prophetic ministry entrusted to the whole people of God (1 Pt 2.9).

Authority in the Church is not the monopoly of an ordained few (cf. Eph 4.11-12)—whether bishops or clergy—but the responsibility of all (cf. Eph 5.34). Likewise, obedience is not the obligation of the “inferior” laity but a requirement of all faithful, lay and clergy. Centuries of “institutionalism” or “clericalism” and the resulting “lay revolution,” in conservative and anti-hierarchical churches alike, have rendered any fossilized distinction between the concepts of authority and obedience a point of contention and disdain. Clergy and laity can no longer exist without one another; spiritual elder and child must be existentially united. Together they constitute the living Body of Christ; together they experience the mystery of Christ. The truth of their relationship can never be formalized or exteriorized. It is this relationship that ultimately matters and not any fabricated, preordained obedience to some “higher” authority whose prerogative it may be to make authoritative pronouncements. If there is a hierarchy in the world, it is in order to reveal the priestly vocation (cf. 1 Pt 2.9) and function of all within a world that is beautifully ordered by its Creator as cosmos. One should not, therefore, underline the ministerial authority and conventional mediation, while undermining the spiritual qualities and equality of all Christians. The two are not so much contrary ends as complementary means. There should be no suggestion of a dichotomy implying two distinct realities.

Such a dichotomy is not totally absent from certain canons of the Trullo Council. The place and the role of the laity is explicitly defined and distinguished from that of the clergy: “Let no member of the laity take communion alone, when there is present a bishop, or presbyter, or deacon “ (canon 58).

Here, of course, it may simply be a question of a moral order of discipline in order that the hierarchical structure be preserved. The distinction between clergy and laity is ultimately not essential, but only functional. Yet there are still more forbidding canons: "No lay person should speak or teach in public, assuming the office of teaching" (canon 64). In this canon, the laity are further likened to "the ear that listens...and learns," while the clergy have received "the grace of speaking and teaching." The supporting evidence is patristic and biblical: "Are all apostles? Are all prophets? Are all teachers?" (1 Cor 12.29). There is no doubt that such a radical differentiation between clergy and laity, or between spiritual elder and child, could easily lead to an institutionalised abuse of authority and a corporate expediency of power which is harshly challenged today. And rightly so! In an age when movements for securing human rights appear to have achieved so much for the improvement of living conditions, and when the "Gulag Archipelago" and abuses of vulnerable children and adults have shocked the world and led to a sincere desire for the limitation or, still better, the annihilation of such atrocities; at a time when freedom of thought and expression is emphasized, and when imperialism and totalitarianism are at all levels questioned, if not rejected—at such a point of time as ours, authority should neither be blindly accepted nor unquestionably permitted to be objectivized or institutionalized to assume shades of "infallibility." Everywhere we are witnessing a breakdown of structures of authority and paternity, spiritual or other. And canon 53 emphasizes "the *greater* dangers involved in spiritual relations than in any physical contacts." The duty of Christians is to search painfully for "a new reality in the light of the revelation of the Trinity.... The contemporary revolt against the father is not basically a denial of fatherhood as such but a search for a Trinitarian fatherhood lived in loving respect for the other, in order that the life-giving Spirit may be communicated."⁴

Spiritual Authority and Personal Freedom

The primacy of personal freedom is the hardest of all to understand. For it determines the very limits of spiritual relations, being personal and yet always in danger of being depersonalised. It is this personal element that canon 102 endeavours to preserve. People often like to objectify this freedom, to make idols of institutional or even individual authority. The problem of freedom, therefore, is from beginning to end one of discrimination be-

⁴From the article by O. Clement, "Purification by Atheism" in *Orthodoxy and the Death of God*, ed. A.M. Allchin (1971) pp. 33-34.

tween personal liberty and limitation, between genuine and utilitarian authority. Such a dilemma, however, presupposes a dynamic revision of attitude, a true repentance. For the Church does not aim at the mere security of the individual, whether in this life or the next. The most appropriate language for describing such freedom is that of selfless love: it is the active love that is at all times prepared "to find a leper, and to give him one's own body and take his."⁵ It is this divine desire for the image of God revealed in the human person that led Isaak the Syrian to write: "Do not reprove anyone for any transgression, but in all things consider yourself responsible and the cause of the sin. Avoid laying down the law, as you would flee from an untamed lion. Do not join in this with the children of the Church, nor with outsiders."⁶

This means that "there must be no discord in the body [of the Church] but that members ought to have the same care for one another" (1 Cor 12.25). And since, as we are told in canon 102, "the illness caused by sin is not simple but varies and has many forms," spiritual guides too must remember that they face identical conditions and struggles. They are not only "shepherds," but themselves are sheep. The laity should not be treated as inferior: these may be the negative implications of canons disallowing them to enter the altar (see canon 69). It is not the rule as such that is here being called into question, but the consequence that allows the laity to be seen as irrational "sheep" under the guiding reason of their "shepherds" (see canon 64).

All too often authority is confused with power, namely with the ability by which a person or group of persons compels others to do something. What happened in the case of Adam and Eve, where harmony of mutual relationship was destroyed, also extended to the people of Israel, where the harmony of a people uniquely guided by the will of God degenerated into disobedience and unfaithfulness. By analogy, what occurs then in male-female relations⁷ may further occur in the Church, where obedience is turned into subjection and overpowering. Yet to be obedient (ὕπ-ακούω) is not to be humbly subjected to the will of another who is more powerful; it is to wait upon God, to listen and to hear, to be all ears, ultimately it is to love, to identify oneself with one's spiritual child and to assume responsibility for that child.

In a remarkable passage in *The Ladder of Divine Ascent*, John Klimakos describes this vicarious assumption of the burden of sins by the spiritual

⁵ Cf. Abba Agathon, *Apophthegmata* PG 65.116C.

⁶ Quoted in C. Yannaras, *The Freedom of Morality* (Crestwood, 1984) p. 272.

⁷ Canon 70 may easily lead to such a subjection of woman by man.

director: "The old man read the note, smiled, lifted the brother and said: "My son, put your hand on my neck." The brother did so. Then the great man said: "Very well, brother. Now let this sin be on my neck for as long as it has been or will be active within you. From now on, ignore it."⁸

Such an identification and compassionate love presupposes keen awareness and sensitivity on the part of the spiritual elder. This is why it is particularly dangerous, not to say damaging, to suppose that "listening" is the function only of the laity in obedience. Canon 19 encourages, indeed commands clergy to speak the word of God, and canon 102 almost gives to the word of clergy the authority of God!

Listening is a crucial virtue for those endowed by others with authority. Often one will help not so much by what one says or advises, as by the depth of listening and the dimension of silence. The spiritual director does not aim at imposing rules and regulations, but offers a personal relationship even while exercising an admonitory role. And in communication, listening is so fundamental. But the art of listening is not as easily achieved as one might at first suppose, and it is as infrequently found as the science of pure prayer. Spiritual direction is often characterized by a plethora of words which unfortunately conceal the Word that is revealed only in *hesychia*.

Within such a dimension of silent prayer and open love, the ultimate goal of all authority becomes the sharing and communion in the vision and depth of God, not a structure of law and subjection. And God never compels persons, but only redresses evil. He speaks with authority, but never imposes his will—even before those who reject, condemn, betray, crucify and kill him. For he does not desire slaves, but friends (cf. Jn 15.14-15). The whole Church should be based on the person of Christ, whose body and extension it constitutes in space and time. Throughout history, it is again persons, the saints, that have manifested this attitude of Christ; they have exercised their responsibility for the other primarily as a response to the needs of that person "with all one's heart and with all one's soul and with all one's strength and with all one's mind" (Lk 10.27). Authority, therefore, means above all love towards one's neighbour "with one's whole power" (Mk 12.30). It is *commitment* to "the least of one's brethren" (Mt 25.45), not *control* over them.

Unfortunately, power in the church is frequently manipulated. The end—the need to teach or the desire to spiritualize is frequently used to bless the

⁸ Step 23, 14 PG 88.980 AB.

means and justify surrender to worldly categories. People maneuver the souls of those entrusted to them—even render canons and doctrine “suitable” for the occasion—with a view to fitting them into a particular “spirituality.” Perhaps one is free to choose an elder with an understanding attitude, but the structure is at times so overpowering that there is little room or strength left to distinguish between the healthy and the infested. In the spiritual life, “easy” children tend to become “easy” adults who cannot think or decide, who are passive and not active. Yet in the church one is called not to passivity but to vision and praxis. Instead, it is taken for granted that certain individuals rule, while others depend on the hierarchy above. The former demand obedience, the latter further foster this already unbalanced situation.

It is unfortunate that the path in spiritual direction is only seen as being “one way:” from the laity to the clergy. The latter are not expected or encouraged to “step down” from the pedestal of authority. In the final analysis, God too is relegated to the extreme heights where he is often overlooked and from where he cannot reach humanity except through a barrage of layers and levels, all of them so human. The ultimate abuse of spiritual direction is its transformation into spiritual coercion!

The Call to Diakonia

In briefly analysing the concept of spiritual direction in church life and spirituality, there has been no intention to question the significance of authority for the integral life and theology of the Christian Church. The sacramental structure of orders is unreservedly accepted and respected as the source of ecclesiastical authenticity and identity, finding its original and foremost expression in the priesthood of the “one mediator between God and humanity, the man Christ Jesus” (1 Tim 2.5).

There is, further, no intimation of a general “liberation within the Church.” A freedom which “fallen” authority posits as its necessary counterpart is also a “fallen” freedom, a pseudo-freedom,⁹ since there is no real freedom outside the Church. The aim of this paper is to bring to the fore certain fundamental deficiencies in the understanding of the notions of spiritual authority and obedience, especially in the practical life of the various institutions and structures. A critical study of past and present structures and practices can only lead to a clear vision of what the Church is. Existing institutions are not to be abolished, but they must become less imperious,

⁹ Cf. A. Schmemman, *Church, World, Mission* (Crestwood, 1979) pp. 184f.

less patronizing and more profitable.

In contemporary western societies, people demand equality, rights of all kinds, freedom from domination, racism and sexism. Without unquestioningly embracing these demands the Church should be challenged by them. It is perhaps possible to review the established structures in their practical aspects. Above all, however, it is necessary to restore a healthy theological balance in hierarchical and spiritual relations by encouraging greater cooperation, communication and communion. Surely this is what Church is all about. Spiritual direction and authority must be seen in terms of service and not domination, in relation to "diakonia" and dialogue. In order for this to occur, the faithful must be considered as subjects, not objects or "sheep"—no matter how logical! The "it" must become the "thou," in the terms of Martin Buber. The vision of endless personal freedom in the Holy Spirit (Jn 3.34) must be the measure of all relationships in the Church, the source of both authority and obedience.

The Church, then, must be the reality where the dichotomy of authority and freedom is constantly transcended through "obedience unto death" (Phil 2.8) and in love to one another. If the issue of authority and obedience is to be examined creatively, one must first of all clarify the understanding about how the Church can become a more loving and serving community. For obedience is a mystery revealed by the Holy Spirit and experienced as a sacrament in the life of the Church.

Concluding Remarks

This is precisely the spirit of canon 102. The medical imagery employed therein is normally preferred in Eastern texts and statements to legal terminology. The spiritual father ought to be a skilled and caring physician, experienced in healing and aware of the infectious disease caused by sin. Basil the Great observes that we ourselves are often incapable of detecting our illness, and therefore have need of a doctor to whom we must expose our wounds.¹⁰ At the same time not everyone is equal to the task of a spiritual director. It is a vocation that presupposes vision—the gift of discernment. Too many people have the ambition of "saving souls." The "great spiritual elder" of fifth century Palestine, Barsanuphios, declined such a responsibility: "I want to be neither an abba nor a teacher; for the Apostle indicts me when he says: 'you, then, who teach others, will you not teach yourself?'" (Rom 2.21).¹¹ For a spiritual elder may easily be left

¹⁰ *Shorter Rules* 301 PG 31.1296 A.B.

¹¹ *Letter* 162.

“empty-handed.”¹² And Fyodor Dostoyevsky offers us a contemporary description of the spiritual director, such as he had experienced in the person of Ambrose: “What is such an elder ? An elder is one who takes your soul, your will, into his soul and will.... This terrible school of self-renunciation is undertaken voluntarily...in order that after a life of obedience one may attain to perfect freedom.”¹³

In order to offer oneself to a spiritual elder, to the spiritual “other,” one needs to allow others into one’s life and to allow the divine Other into the whole of one’s life. One cannot achieve this alone, but the aim is to allow at least one other into the deepest recesses of the heart and mind. One must share every thought, emotion, insight, wound and joy.

Now for most people this is a difficult venture. One is today taught and encouraged from an early age to be strong and assertive, to handle matters alone. Yet for the tradition of Eastern spirituality, such a way is demonic. We are members one of another, not islands. This, I feel, is precisely the spirit of canon 102. People need others because often the wounds are too deep to admit, the evil too painful to confront. The sign, according to the Orthodox tradition, that one is on the right track is the ability to share with someone else. This is precisely the essence of the sacrament of confession. To seek God may be an abstract search; to acquire purity of the soul may be an arbitrary goal; but to seek and find one’s neighbour is to discover all three : God, purity and the other. This is why in spiritual direction one discovers both the abyss of sin and the mystery of grace.

¹² John Klimakos, *Letter to the Shepherd* 56, PG 88.1189 A.

¹³ *The Brothers Karamazov*, transl. C. Garnett (New York, n.d) p. 27.

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The Effect of Mixed Marriage on the Parish

EMMANUEL GRATSIAS

The presumption in this presentation is that a significant number of mixed marriage couples remain involved in the parish in which they were married, or to which they moved. The less that remain, the less the effect. Also, the presumption for now is that there is a concerted effort on the part of clergy and laity to welcome and involve mixed marriages in the life of the parish, and that the couples care to be involved. Such an effort will consequently affect the parish.

First, the *identity* of the parish and indeed the meaning of the word is changed. Traditionally, "parish" has meant the community of believers of one common faith and confession. The Body of Christ, steeped in Orthodoxy in our case, organized into a worshipping and socially interactive group is what a parish is supposed to be.

"Parish" now means something much more than the body of communicants. I found myself recently speaking of "the non-Orthodox members of the parish." No one in the meeting questioned the terminology or the concept. Clergy and lay leadership are well-aware that they minister to a group that includes communicants and non-communicants and rarely is the ministry given to the latter any less than that given to the Orthodox. Often the non-Orthodox refer to the parish as "my parish" and to the pastor as "my priest."

For us in America the parish has also been identified as the locus of Greek-American ethnic identity. Here in the parish community we have for decades lived out the cultural, social, national and even political legacies of our Greek roots. The influx of the non-Greek members into the parish has contributed to a weakening of those aspects of parish life that

centered on ethnicity. Whether this is a positive or negative result is in the mind of the beholder.

The effects of mixed marriages on the work and mission of the parish can be understood in the traditional framework of the three aspects of the Church's mission: the Kingly, the Prophetic and the Sacramental.

We begin with the Kingly, or administrative aspect of the Church. The governing of the parish involves the financing, the fund raising, administration of funds, festivals, volunteer efforts, etc. The involved mixed marriage means non-Orthodox are putting in their efforts. An alert parish leadership invites all to participate, to volunteer, to sacrifice time, labor and resources for the good of the parish. Non-Orthodox join the response and they are welcomed. I have yet to see anyone suggest that a non-Orthodox cannot work hard and donate because he or she is not one in the faith. However, positions of governance are, understandably, not open to the non-Orthodox. One is invited to give and donate time, labor and resources but cannot be part of the decision making process, whether in Parish Council or on Philoptochos Boards.

In my parish this has caused frustration, anger, and embarrassment on the part of both Orthodox and non-Orthodox. I have sensed the anxiety within groups whenever someone has to be told, "you can't run." Fear of potential tension and embarrassment forbids the chairmanship of fund raising events to be given to active non-Orthodox. This is disheartening and discouraging for all involved. Many Orthodox, admittedly on an emotional basis, would be willing to scrap all the relative administrative rules just to avoid embarrassment and perceived injustice.

Mixed marriages affect the parish's prophetic mission, for the community is forced to alter and reform its educational program. Our efforts in the past have usually consisted of conveying Orthodoxy to Orthodox. Yet if we expect a mixed marriage couple to continue participation in the life of the parish, the non-Orthodox spouse must have a better understanding of what the faith is all about, and what is really important and of real value. Resources, primarily time, need to be diverted to such programs.

Recently I announced a discussion group to be held on three consecutive Tuesday nights and limited to non-Orthodox participants. In ten days time 15 registered. I expect the group will reach 20. That's outstanding in a small parish where 50 of the 180 member households are mixed marriages. Many of these marriages go back twenty and thirty years. Thus far the responses are from the younger crowd, numbering about 34 couples.

The positive and quick response makes me wonder if we have responded adequately to the need for such education.

The Sacramental Life of the parish is of course affected both simply and joyously on one hand and with complexities and anxieties on the other. The simple consequence of mixed marriages on sacramental life is obviously the increase in the Sacraments of Chrismation. Surely at least 90% of the Chrismations of adults result from mixed marriages. Chrismation of adults would be rarely celebrated if it wasn't for mixed marriages because, unfortunately, we are not encouraged and accustomed to evangelize in the western Christian world.

Most of our non-Orthodox spouses do not opt for Chrismation and choose to remain just that—non-Orthodox. Why? Perhaps parishes and pastors have not done their job. This is a major factor, I'm sure. Perhaps many non-Orthodox, though fully involved in parish life in every manner other than sacramental are not ready or desirous of conversion for various reasons: uncomfortable in a Byzantine milieu, or in a very dominant ethnic setting; giving up on one's denominational faith is too much of or an unnecessary sacrifice of personal identity for the sake of marriage; conversion would constitute a break with parents not anticipated when marriage was planned. If someone is considering what is truth and where does one find it (rare questions these days) maybe he is not yet convinced that Orthodoxy is any more true than his own faith. So then, even if most do not choose to enter Orthodoxy, know that their presence still affects the sacramental life of the parish and it does so in a complex and especially difficult manner for pastors.

Non-Orthodox do not receive Holy Communion in an Orthodox church and this discipline is generally well-understood and accepted even with its accompanying disappointment and confusion.

Holy Wednesday night is a different story. The strict discipline regarding participation in Orthodox sacraments is not observed in a great many parishes when priests find it difficult to turn away a non-Orthodox mother who is bringing her children to Church not only on that night, but on many Sundays as well. "What? This is a prayer for health, healing and forgiveness, and I can't be anointed?" Call it emotional, call it sentimentality, or call it *kat' oikonomia*, which is what the priests call it as they find it difficult to say "no" when a parent that is supportive of the family being raised Orthodox holds out her hands for anointment.

A generation ago it was rare to see a non-Orthodox mother present her

child for the 40-day blessing, and even rarer for a priest to offer these prayers. Today we see such barriers falling as more and more priests do not hesitate to welcome a growing number of non-Orthodox mothers bearing future Orthodox children to the church for blessing of child, and mother.

In spite of the traditional discipline, mixed marriages are changing the manner and discipline regarding the administration of services and sacraments. Indeed, since we are forced to think of these questions we may find ourselves changing our teachings, too—or at least our emphases.

Mention must be made of the use of English in the sacramental life of the parish since the language issue is always raised relative to mixed-marriages. Are mixed-marriages really the reason we need to and are using more English? They surely have played a role, but English is justifiably used more and more to benefit the worship life of a deserving third and fourth generation of Greek Orthodox in America.

As mentioned earlier, the parish as the ethnic center is weakened. The norms of ethnic manifestations of a generation or two ago are no longer the rule. Non-Orthodox cannot be expected to identify with the Greek state, Greek national concerns, or the Greek flag. This shouldn't be too much of a surprise since third generation Greek-Americans do not identify in the same manner as did their grandparents. Consequently, the ethnic interest is presented in diverse and novel manners in order to assure the greatest interest and participation. For example:

The commemoration of March 25th can now be, and often is presented as a celebration of the freedom of Greek Orthodoxy to establish Orthodox faculties, Orthodox Christian press, education etc. We no longer speak of the state but of the "ethnos" or the "genos" and of Hellenes and Phil-Hellenes. Cyprus, and Macedonia are presented as broadly based human rights and justice issues in which we Americans have an interest because of our background; Greek School is a "cultural enrichment experience" that benefits mixed-marriages through the broader total education of the children. And don't bother to say "Ζήτω ἡ Ἑλλάς!" because few know how to respond anymore. Mixed marriages have helped us to redefine ourselves more as hyphenated Americans rather than transported Greeks in America.

Unfortunately, many non-Greek Orthodox are under pressure to be "more Greek." If the parish wants to help mixed marriages, it needs to be very careful to avoid adding to that pressure. A recent advertisement for a book on Greek customs and traditions suggested that the local Philoptochos

purchase copies and give one as a gift to each mixed marriage couple. My experience has been that such a gift coupled with the pressures of the Greek mother-in-law could be the final straw that would drive the couple from the church. For us, it is the Orthodox faith that must be lived, while cultural traditions are to be appreciated. A book dealing with Orthodoxy would be the appropriate gift, and would say a lot about our priorities.

Finally, what do we do? Shall we focus on the positive or negative effects of mixed marriages? About six years ago a New York Greek-American periodical was featuring Long Island parishes and that project involved interviewing all the pastors. One of the questions for me was, "And what about you? You also have a major problem with mixed marriages?" The caller was taken aback when I answered, "Plenty of mixed marriages but it's not a problem; it can be a blessing."

We all encourage marriage between two Orthodox Christians because the communality of faith, tradition, spiritual life and culture constitute important building blocks that will be part of the foundation of a good marriage. Many building blocks will have to be added to such a foundation. How good it is when some are already there.

When however, there are many mixed marriages we cannot be discouraged. We must be optimistic and seize the opportunity to build the Body of Christ. The Holy Spirit does not abandon us because we have mixed marriages. The Spirit works with us for mixed marriages are surely part of the vineyard.

We are challenged! We are confronted with the reality that the Church in America looks and acts differently than fifty years ago and she has an extraordinary mission. Our work is to build up the Body of Christ in this land of cultural diversity. Evangelism is not just an option—it is an imperative. We should never be dependent on mixed marriages to carry out our mission, but they do provide one good opportunity. We are not stealing souls when evangelizing to the mixed-marriage couple since in most circumstances the non-Orthodox are not in Church at any time except when in ours. Too often the non-Orthodox spouse is in a state of spiritual suspension and needs a spiritual home. We have a responsibility for them. Our efforts will benefit the marriage and will solidify an Orthodox family. Our endeavor must be to integrate the mixed marriage family into the Church. To not do so too often means the loss of the Orthodox and the children.

The process towards Chrismation should be at the initiative of the pas-

tor whenever possible. The suggestion of conversion by the Orthodox spouse can too often be interpreted as a control factor or complicated by some sensitivities in the marital relationship.

The administration of the Sacrament should be an important part of the parish life, i.e., celebrated at the Sunday Liturgy, the new Orthodox being welcomed and later honored at the coffee hour, reception, etc. Sacraments of Chrismation should be major events in parish life .

Parishes must make the effort to integrate, educate, and to Chrismate. Such efforts do not always bring the desired effects. One colleague said in reference to one parishioner, "I chrismated her but I don't think it took." Yet from one parishioner chrismated two years ago I heard, "I feel so joyous!" Isn't this really God's design, to bring people into the worship, the sacraments and the joy of Christ?

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President's Message

BISHOP METHODIOS OF BOSTON

The topic of this year's Patriarch Athenagoras Memorial Lecture, "A Conference on Mixed Marriages," is indeed of critical importance to the future of our Church in the Americas. No other subject is more discussed or more controversial. The very term *mixed* is offensive. Marriages between Greek Orthodox and brethren of various denominations, Roman Catholic and Protestant, now far outnumber those where both parties were born, raised and baptized in the Orthodox Church. In some parishes, the percentage is in the nineties. Nationally, it is in the eightieth percentile. How many Orthodox marry other Christians outside the Church, either civilly or in the church of their spouse is not known, but I dare say that number is increasing steadily. The number of marriages between Orthodox Christians and Non-Christians—not sanctioned by the Church—is also growing.

How the Church deals with these realities is of critical importance. Some, unfortunately, consider mixed or inter-credal or intra-Christian marriages as a problem for the Church. I consider them a unique opportunity for missionary outreach. Among the most dedicated and faithful members of our parishes are converts and brethren who worship with their Orthodox spouses. This is especially true in those communities where the parish priest makes a concerted effort to reach out and offer a warm welcome and effective ministry. Unfortunately, this is not always the case. Not all parishes or their leaders take an interest in non-orthodox spouses. No effort is made to address the critical issues that a man and woman face in an intra-Christian marriage, among which are—where will they worship? or in which Church will the children be catechized and baptized? Sadly, little is offered in most communities in terms of catechetical classes for adults

where Orthodoxy can be competently taught. I question, frankly, how many are in the position to share effectively the One Holy Catholic and Apostolic faith.

The constituency of the parishes is changing day by day. Fifty years ago, when a priest delivered a homily, he was addressing a congregation where almost all present were Orthodox. Not today. I wonder whether we have adapted our message and our ministry to deal with today's reality. I wonder to what extent the theological training received by tomorrow's priests is sensitive to this sociological change. The conference over the next few days will be an opportunity for us to examine the theological, sociological, psychological and pastoral perspectives of this important topic. The discussions will continue at the upcoming Clergy-Laity Conference in Chicago and surely at the Synaxis of Orthodox Bishops of the Ecumenical Patriarchate scheduled this coming August.

How the Church will face the reality of the interchurch, intercredal and interfaith marriage will have much to say concerning its future. This is true not only for us who live the faith in the west. During the last Synaxis two years ago at the Patriarchate, practically every attending hierarch from throughout the world, and especially Greece, referred to the increase in Orthodox and non-Orthodox weddings and, in fact, not in a very complimentary manner. It is my hope that this conference will offer new insights and inspire more effective ministry.

Mixed Marriages and the Orthodox Church

GEORGE C. PAPADEMETRIOU

The Church for decades in this country has been plagued with what it sees as a crisis for its survival. Some blame this crisis, in part, on mixed or inter-marriages which decrease the Church's membership and change the character of the Orthodox parish life in this country. Going back as early as the 1920's a Greek Orthodox Bishop saw the danger of mixed or inter-marriages and the possible demise of the Church in this country.¹

However, this pessimistic view of the issue is not shared by all. Some see inter-marriages as an opportunity for Church growth, through entrance of the non-Orthodox into its bosom.

The Church, some insist, looks on marriage as a sacramental union of a man and a woman and the unity of the faith is set as a condition. Marriage is a "mystery" that brings together a husband and wife to share in the Holy Eucharist and the Kingdom of God.

What is a "mixed marriage?" Why is this issue so important for the Church today? This conference on inter-marriages which was mandated by the President of Hellenic College/Holy Cross School of Theology, His Grace Bishop Methodios of Boston, will address these questions and, it is hoped, will provide some answers.

As we were preparing for this conference the use of terminology was raised. The use of the term "mixed marriage" was felt by some faculty members to be inappropriate. Other terms were discussed and we settled on the terms "interreligious marriages" to indicate marriages between Christians and non Christians, and "intra-Christian" to indicate marriages between Orthodox Christians and Christians of other traditions.

¹Joachim, Bishop of Boston. *Οἱ Κίνδυνοι τοῦ ἐν Ἀμερικῇ Ἑλληνισμοῦ καὶ τὰ Μέσα τῆς Διασώσεως Αὐτοῦ* (Boston, 1926).

Inter-marriages have always existed in the Church and were addressed in various ways. In the Old Testament the Israelites were commanded to “put away their pagan wives” (Ezra 10:18). And in the New Testament, St. Paul declares that “the unbelieving husband is sanctified by the wife, and the unbelieving wife is sanctified by her husband” (I Cor. 7:14).

In a pluralistic society such as ours, where the Orthodox are only a small minority, the ever-increasing percentage of mixed marriages being blessed in the Church as well as outside the Church is a cause for concern.² There is a need to clarify the issues related to inter-marriages for the benefit of Orthodox and non-Orthodox. The Church’s full understanding that “marriage” is a Sacrament means that the Church has to deal with the increasing number of marriages outside the Church. Also, the Church has the understanding that “marriage” is a contract between a man and a woman and involves a personal pledge that the husband and wife in their Christian freedom are responsible for the religious direction of their family and children. There are some divergences on this topic and it is hoped that, during this conference all these issues will be raised and fully discussed. This will give us a greater understanding of the pastoral dimensions as a responsibility for those married within and without the Church.

The program is structured to include sociological, theological and pastoral perspectives. Several prominent scholars and experts will address the challenge of intermarriages. The end result will be the articulation and definition of the issues and proposals for solutions. This is an academic conference that openly and objectively will discuss the problem and challenge of interreligious and intra-Christian marriages.

I would like to thank the President, Bishop Methodios and the faculty for entrusting me with the honor of chairing this conference. Also, to thank the members of the Committee: Prof. George Bebis and Rev. Dr. Emmanuel Clapsis for their diligent assistance in formulating the program.

Special thanks are due to George and Crystal Condakes who sponsor in part this lectureship in memory of their father, Peter J. Condakes, and the Marcelle R. Varver Foundation for funding the Patriarch Athenagoras Memorial Lectures.

²Demetrios J. Constantelos, *Marriage, Sexuality and Celibacy: A Greek Orthodox Perspective* (Minneapolis, 1975) 54-61; Stanley S. Harakas, *Contemporary Moral Issues Facing the Orthodox Christian* (Minneapolis, 1982); John Meyendorff, *Marriage: An Orthodox Perspective*. 3rd edition, revised. (Crestwood, NY, 1984) 56-60.

I also express my deep thanks to the Volunteer Women of Hellenic College for their willingness to host a reception

I hope your participation in the conference will be pleasant and beneficial to all.



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The Orthodox Church and Intra-Christian Marriages

ALICE SCOURBY

As the year 2000 draws closer we find ourselves reflecting on the issues of ethnoreligious survival. The situation for the Orthodox is compounded by the fact that we are numerically a small population, widely dispersed throughout the United States. In American life, and more specifically in the Greek Orthodox experience in America we ask, "What common themes and problems do they share that transcend regional variations and time period?"

The question deals with the degree to which assimilation has proceeded among Greek Americans. How much of their ancestral heritage continues to have a meaningful place in their lives? Does it continue to influence their values and identities? The most challenging question becomes, "What does the future hold for the ethnoreligious group amorphously referred to as Greek Americans?"

The progeny of the mass immigration of the turn of the century are now highly acculturated members of American society. Approximately one half of the population identifying themselves as Greek (1,110,000) are of mixed ancestry reflecting the degree of intermarriages. There is no reason to believe that the considerable immigration to the United States since the end of World War II will not repeat the pattern of the earlier generations in the acculturation process. Ethnic identity is certainly not a static thing, but a dynamic dimension both for the individual and the group whatever the pace of their accommodation and acculturation may be.

As we approach the final year of the 20th century, we see a mixed and varied United States population expressing its ethnoreligious identity in diverse ways. The past identity function performed by family, nationalism

and neighborhood in reinforcing a sense of "peoplehood" no longer obtains. The Greek American family is challenged by divorce, dual wage earners, and the secularization that has had a national impact on traditional patterns of endogamous marriages. It is by now common knowledge that the achievement and success drives in diverse fields has resulted in upward mobility within a span of two generations. Along with this has come intermarriage, a pattern that remains on the increase. In 1982, there were 1,936 marriages between two Orthodox spouses while the number of inter-Christian marriages was 3,175, compared with 1,922 and 3,530 respectively in 1992.

Almost all textbooks dealing with marriage and the family have brief treatment of interreligious marriage; one reads that marriages in the United States tend to be religiously homogamous with respect to Protestant, Catholic, and Jew. The studies also show that interreligious marriages are more likely to end in divorce than religious homogamous ones. This scenario is reflected in the 1994 Archdiocesan Yearbook where 347 divorces were reported for homogamous marriages and 417 for inter-Christian marriages. But the commanding remains that the trend towards exogamous marriages seems inevitable.

It was not long ago, about thirty years, that Roman Catholics were threatened with excommunication if they entered into a religiously mixed marriage. Certain conditions for mixed marriages were established: the non-Catholic partner had to attend sessions on Catholic doctrine and to be married by a priest; both partners were required to sign an antenuptial agreement that artificial contraception would not be used, and that children would be baptized and reared as Roman Catholics as a way of protecting the Catholic faith and ensuring the religious upbringing of the children.

By 1970, Pope Paul VI removed the constraints of an antenuptial agreement, as well as the obligations or commitments from the non-Roman Catholic partner. However, Roman Catholic partners were obligated to promise that their children would be baptized as Roman Catholics and raised as Roman Catholics. In addition they were obligated to abide by church policy regarding contraception and divorce. More recently the church leadership has become more lenient in allowing a marriage to be performed by a non-Catholic religious functionary or a secular one. It is clear that no precept is intransigent regarding ethnoreligious identity.

Although the traditional Jewish opposition to interfaith marriage has its origins in the Old Testament, since the Holocaust, the Jewish American

community of 5.9 million has been sensitive to its declining numbers through intermarriage and assimilation. While Jews have the lowest rate of exogamy, a threat to numbers appears well founded when only 24 percent of children, ages 16-46, born to interreligious marriages considered themselves to be Jewish. There are two types of interfaith marriages: intermarriage and mixed marriage. An intermarriage involves a Jew and a Christian who has converted to Judaism; a mixed marriage involves a Jew and a Christian without a conversion. About one third of Jewish interfaith marriages are of the intermarriage type. Orthodox, Reconstructionist, and Conservative rabbis tend not to perform either mixed marriages or intermarriages. Most of the Reform rabbis will perform a marriage ceremony if the Christian partner converts. As a result the Union of America Hebrew Congregations' Outreach Program, started in 1982, attempts to educate non-practicing Jews about their religion, to encourage conversation, and to meet the needs of interfaith couples and their families.

Generally, the Protestant denominations have opposed interfaith marriage on three grounds. First, interfaith marriages are more unstable. Second, participation in religion by both partners will probably suffer. Third, they fear that children will not be raised in their religious faith or any religion. Their denominational structure and numbers, however, allow for a wide range of marital choice.

Among these three groups religious homogamy is still the pattern. Protestants comprise 55 percent of the population in the United States, Roman Catholics 38 percent, and Jews 3 percent. The available data suggest that 18 percent of Roman Catholics, 12 percent of Jews, and 7 percent of the Protestants are marrying outside their religion.

Irrespective of religious affiliation, most marriages appear to be homogamous. It is true that to deal with interfaith relationships solely on the basis of Catholic, Protestant, or Jewish identities sets up an artificial distinction, since the beliefs and practices within these groups themselves vary. However, this overview provides general data that make possible a comparison of religious endogamy.

In the case of the Greek Orthodox Church, marriage may be performed in another Orthodox jurisdiction; the non-Orthodox partner must be a baptized Christian. In case of marriage between an Orthodox Christian and a non-Orthodox Christian but who does not become a member of the Orthodox Church, the non-Orthodox partner is not permitted to receive Holy Communion or other sacraments or even a church funeral. In an interfaith

marriage, the couple should be willing to baptize their children in the Orthodox Church and raise their children in the Orthodox faith. All religions provide boundaries that define legitimacy within their respective groups. But exceptions are made, changes are made, none can remain intransigent. In the case of Greek Orthodoxy confusion abounds. Roman Catholics of diverse ethnic groups find solidarity under the umbrella of Roman Catholicism. Protestantism provides diverse denominations including various ethnic groups; and Jews accommodate ideological differences through Orthodox, Reform, Reconstructionist, and Hasidic groups.

Greek Americans are fraught with confusion as to whether they are Greek, Greek Orthodox, or American Orthodox. We are at the crossroads of choice. One hears reverberations throughout the Greek American community: the laity asking for more participation in the life of the church; concern regarding the impact of intermarriages on spouses and children; concern about the erosion of the Greek language; concern with respect to Pan Orthodoxy as well as the concern shared by women who feel excluded from full participation in the liturgical life of the church; and there are other issues that have an impact on the church and promise to shape a new ethnic identity for the 21st century.

Any static definition of ethnicity will inevitably exclude some people from the ethnic circle. Not long ago former Governor Dukakis was excluded from the Greek ethnic group by many members of the Greek community despite the public enunciations by the church that Michael Dukakis was a member of the Greek Orthodox Church, that he was baptized in the church, and had never left it. This controversy over ethnic boundaries is not only confusing but counter-productive.

It is believed that white ethnics are beginning to share a common profile regarding educational, residential, personal and family values. The consensus is that personal and family values will continue to determine some measure of ethnic distinctiveness that will go beyond the fifth and sixth generations.

This general trend towards segmental assimilation means that ethnicity will continue to play an important role in community life. Indeed, if we accept the premise that a society composed of atomistic individuals is a monstrosity, then the persistence of ethnicity remains a variable force, albeit in an attenuated form. It may be time to move on to other patterns of relatedness. Greeks, Jews, Poles, Italians and other white European groups are no longer referred to as minorities, as they were in years past. That

label has been shifted from European whites to groups that are perceived to be more politically radical (Asians, Latin Americans, Hispanics, Indians and Blacks).

Over a hundred years ago, 90% of immigrants came from Europe; more than half still came from Europe in 1965. Today only 5% of legal immigrants come from Europe. While in 1980 79.9% of the U.S. population was white, it is projected that as we approach the middle of the 21st century, only 49.9% will be white. Will these demographic changes which are already upon us influence the way we identify the Greek ethnoreligious community? I believe so.

Present trends help to clarify this. White ethnic groups have undergone diversification through the general process of acculturation and intermarriage. Whites, in other words, are becoming more alike. They opt for the same schools, jobs, education lifestyles and they intermarry.

What then is to set them apart? What is to motivate them to retain ethnic boundaries, no less motivate them to remain homogamous?

Several notions surface that are related to these questions. First, there is the prevailing assumption that Greek Orthodoxy is gradually being replaced by secularism: a secularism offset by symbolic manifestations of ceremonial ritual, such as the annual pilgrimage to celebrate the Anastasi (Easter). It is accepted that the religion of our ancestors was one with the community. It was accepted as naturally as the air they breath. But it is no more. Perhaps, then, a new avenue of relatedness must be explored; one that is more personal, one that recognizes that religion is not about knowing facts and reciting prayers, but knowing about yourself through the underlying meanings that religious metaphors represent.

Secondly, there is perplexity in focusing on the issue of an American Orthodoxy. It is probable that a rapid deethnicization of the church would result in a catastrophic loss of adherents of various persuasions. Nevertheless, ethnic newspapers continue to present conflicting messages in referring to Greek Orthodoxy and American Orthodoxy interchangeably. A statement emanating from the church leadership regarding the status of the Greek Orthodox church on this issue would be most edifying: it would offset a potentially threatening schism within the Greek American Community. Flexibility of ethnic and religious boundaries remains the essence of the issue.

Thirdly, there has been a history of resistance to eastern Orthodox marriages across ethnic lines. Studies show that some priests have preferred to

see their members marry outside the church rather than marry an Orthodox of non-Greek extraction. This tendency to discourage intraorthodox marriages has served to limit the field of eligibles for mate selection. In 1961, the official position of the church was that "Greek Orthodox Christians be joined in wedlock only with Greek Orthodox."¹ While this view may have been attenuated over time, it indicates that the affinity between Hellenism and Orthodoxy remain a lingering potential force.

Fourthly, religious affiliation is today largely a matter of voluntary choice. Since, as has been suggested, the ethnic component is becoming increasingly blurred, it is necessary to enunciate with clarity the meaning of the Orthodox faith in relation to the individual life, confronted as individuals are with a myriad of ethical and moral conflicts. Today, very few see any relationship. A large part of this schizoid view results from the neglect of religious socialization by the second generation. This was unfortunate because this generation was a receptive one; tied as it was to both the immigrant and the American experience. The church continued to expect the same pattern of unquestioned allegiance. Be that as it may, the second generation, and the third, tend to view all Christian religions in the same light, and only ethnicity that divides them.

Lastly, Greek American Orthodox include women as well as men. Women represent a highly mobile group by any standard. To neglect them from participation in the liturgical life of the church invites impoverishment, both religiously and intellectually. Allow me to read you portions of a letter I received as Executive Director of the Greek American Women's Network. It reads:

I am 45 years old and a teacher for 23 years. For most of my adult life I have lived in Alaska, South Dakota or California. Emotionally and intellectually I feel I left the church when I was about 11 years old and believed that I, as a female, was not welcome in this religion. I saw that girls were not allowed behind the altar nor to serve as altar "boys." I believe the Greeks have an incredibly beautiful history, but that the best of the Hellenic mind and spirit is vacant in our churches. That saddens me, and if I did not care about the demise of the affinity of my generation and the Greek community, I would not feel compelled to say these things. The church has failed miserably to attend to the spiritual needs of its people. I have done what I can as a teacher to include Hellenic curriculum where appropriate. But what next?

¹ *Yearbook of the Greek Orthodox Archdiocese of North and South America* (New York, 1961) 180.

In the late 1980's I served on the future Theological Agenda of the Greek Orthodox Archdiocese. At the time I raised two points: one, the dramatic lack of information about Orthodoxy without which a vitality cannot be sustained; and, two, the neglect of women as participants in the liturgical life of the church. To neglect them is to diminish irrevocably the goals that are sought. My comments were not included in the final report.

Recently a young father telephoned me from the west coast to tell me that he had taken his newborn daughter to church for the forty-day blessing. The priest took her to the altar. When the young father expressed surprise, the priest said, "Well, she is a very special baby girl." Let us remember "All babies are special."

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The Pastoral Sensitivity of the Canons of the Council in Trullo (691–692)

ISAIAS SIMONOPETRITES

This year (1992) marks the 1300th anniversary of the so-called Council in Trullo, or Penthekte (Πενθέκτη), or Quinisext, held within one of the assembly halls of the imperial palace in Constantinople during the first reign (685 - 95) of the emperor Justinian II, known as the "one who had his nose cut off" (Πινότητος), between the autumn of the year 691 and the spring of the following year. Two hundred twenty-seven bishops attended the council, including the Ecumenical Patriarch of Constantinople Paul III (688-94), who presided in the absence of the emperor, and the Patriarchs Petros III of Alexandria, Georgios II of Antioch and Anastasios II of Jerusalem. The Pope of Rome, Sergios III, was represented, as seems most probable, through a delegation of bishops from Eastern Illyricum, although, curiously, the Metropolitan Basilios of Crete signs in his own name and as representing the entire synod of the Church of Rome. The Archbishop of Cyprus, John, was also present, though he had been exiled by the Arabs from his native island and had taken refuge in the Hellespont, in the newly founded city of Nea Justinianopolis. The 39th canon of the Council in Trullo made specific provisions for his new situation and required that even the senior bishop of the region, the Metropolitan of Kyzikos, should acknowledge, at least temporarily, the exiled primate of the Autocephalous Church of Cyprus as his ecclesiastical superior, and not directly, at least, the Ecumenical Patriarch of Constantinople. This is the first and only specific case in the holy canons of a Church in exile having very precise rights. It is an example of pastoral sensitivity of another kind, perhaps, than that which we shall be examining later on.

Before proceeding to the heart of the subject that we are treating, let us make a brief survey on the conditions under which the Council in Trullo

was convoked and why it was necessary that this council should be convoked. As is well-known, the Council in Trullo (or the Second Council in Trullo) of 691-92, while it was essentially a continuation or resumption of the Sixth Ecumenical Council, (also held in the Trullum of the imperial palace in the capital of Constantinople from November 680 until September 681), came to be known as the Penthekte (Πενθέκτη) or Quinisext, that it is to say, "the Fifth-and-Sixth." To understand the logic of this attribution, we are obliged to take as a first point of reference the Fourth Ecumenical Council, held in the basilica of Saint Euphemia the Virgin Martyr in the city of Chalcedon on the opposite bank of the Bosphorus in October of 451. This was the ecumenical council which had hoped to settle once and for all the Christological problem of the two perfect natures of Christ, the divine and the human. Unfortunately this was not to be the case, and while monophysitism, the assimilation of Christ's humanity into his divinity, as taught by Eutyches, was officially condemned as heretical, all kinds of variants were concocted to try to circumvent this basic tenet of Orthodoxy. Apart from the dogmatic decisions of the Fourth Ecumenical Council, 30 canons were ratified concerning a number of vital questions of ecclesiastical administration and discipline, one of the most important of which is the 28th canon, which establishes very precisely the rights of the ecumenical throne of Constantinople. The monophysite quarrel did not abate and was only made worse by well meant but unsuccessful interventions on the part of Byzantine emperors anxious to find a formula which would restore political unity and peace to the empire. The result was exactly the opposite of what was hoped for. There was not only a disastrous division within the patriarchal jurisdictions of the three Oriental thrones, Alexandria, Antioch, and Jerusalem, with rival patriarchs being enthroned and dethroned, but also, for the first time, a complete rupture of canonical relations between Rome and Constantinople. This latter, inaccurately called the Acacian Schism, was healed and unity restored under the Emperor Justinus I and strengthened by his nephew, the remarkable Emperor Justinian I, whose military, political and legislative activity remained unparalleled in Byzantine history, as did his fame as an emperor-theologian. (The symbol of his uniqueness is undoubtedly the Great and Holy Church of the Divine Wisdom, Ἁγία Σοφία, which will remain until the end of time as the most superb example of religious architecture and the expression of the universal aspiration of Orthodox Christianity to transfigure this

world and to unite heaven and earth. Other famous monuments, representative of Justinian's world theory, are the basilica of San Vitale in Ravenna, Italy and the monastery of Saint Katherine in the desert of Sinai.)

Justinian had genuine theological aspirations and as emperor was imbued with a deep sense of responsibility for the well-being of the Church. He wished, like Constantine the Great, to be a peace-maker and to resolve the religious divisions of his empire. In a local council in Constantinople in 543, he had a formal condemnation pronounced against Origen, the great teacher of the Alexandrine school, and three of the most prominent theologians of the Antiochian school, Theodore of Mopsuestia, Theodoret of Kyros and Ibas of Edessa. But this was not enough. The Fifth Ecumenical Council was convened in 553 to confirm the anathema on Origen, and also Didymos the Blind and Evagrius Pontikos for the platonising tendencies which rendered their theology unorthodox, and also to recondemn the "Three Chapters" of the aforesaid Antiochian theologians. However, before peace was restored to the Church, Monophysitism was revived in new forms. The reign of the Emperor Heraklios, at the beginning of the seventh century, started well. The Persians were expelled from Syria and Palestine, and the holy places of Jerusalem restored to Christian worship, but a new and totally unforeseen development took place at about the same time.

An obscure Arab tribesman, illiterate but highly astute, began to claim to have supernatural revelations by means of the Archangel Gabriel. On the basis of these, combined with disparate elements, not very well understood and badly digested, from rabbinical Judaism and heretical Christianity, principally Nestorianism, he formulated his religious teaching, which aimed to convert his fellow Arab tribesmen from idolatry to belief in a single God. He was acclaimed as a prophet by his followers, but this newly appeared religious leader was determined to impose by force what he believed was a divinely revealed religion. Those who did not accept his religion were to be subjected to those who did, as if they were cattle and not free human beings. Unfortunately for the Byzantine Empire, in this very same era the West, including the ancient capital of Rome, came under the control of the barbarians, while the East was once more rent by new theological divisions. The idea of a single will and a single energy in Christ, more sophisticated than simple monophysitism, was propagated by imperial decree and accepted, albeit reluctantly, by Pope Honorius of Rome, the Patriarchs Sergios and Pyrrhos of Constantinople, Kyros of Alexandria

and Macedonios of Antioch. Only Saint Sophronios, the Patriarch of Jerusalem, and Saint Maximos the Confessor, a simple monk but a former chief secretary of the imperial palace and a brilliant intellectual, realized that the Church was being asked to accept heresy. However, before monothelitism could be officially condemned, disaster struck for the Christian world. With astounding rapidity, Islam, with its militant fanaticism, advanced from Arabia through Egypt into North Africa on the one hand, and, on the other, through Palestine, Syria, and Mesopotamia, threatening Persia. The empire was suddenly confronted with an entirely new situation, in which the unique free and predominant center of the Christian was the imperial capital, Constantinople. The Emperor Constantine IV, known as Pogonatos (668-685), convened the Sixth Ecumenical Council, the third in Constantinople, as we mentioned above, in November 680, to condemn the heresies of monothelitism and monoenergism, and hoped, as did the previous ecumenical council, the fifth since Nicaea, and the second in Constantinople, to put a decisive conclusion to the overly controversial Christological question. As the primary purpose of the council was dogmatic, once again no new canons were promulgated.

The time was now ripe, after more than two hundred years, for a profound re-appraisal not only of the dogmatic faith of the Orthodox Church, but also of her moral life and discipline. The two centuries of internal strife in the Church, provoked by the monophysite dissension in various disguises, the reassertion of pagan customs and superstitions amongst uneducated Christians, who would perhaps never acquire a truly Orthodox ethos, the mutual distrust and latent tension accumulating between the Old and the New Rome, with significant deviations in liturgical practices and ultimately in theological understanding, were very serious problems indeed for the Church of the empire. While Constantinople's spiritual supremacy was not effectively disputed, her position was not an easy one. With the West, the psychological and cultural gap was constantly widening. In the East, the perennial preoccupation of the Byzantine Church for some sort of reconciliation with the Armenians never seemed to produce the hoped-for results. The external threat of the militant Islam to the south, spreading like a fire out of control, of the diverse barbarians from the west and the north, and an unpredictable, confused, and on the whole, pessimistic situation in the east, sapped the moral strength of the empire. Some form of regeneration was imperative and this was the duty of the Church.

Having reaffirmed her dogmatic fidelity to Orthodoxy, the Church undertook a spiritual review and self-examination, above all of her pastoral life, her divinely-appointed mission to preach the Gospel, to baptize the nations, to lead the people dwelling in darkness and shadow of death to the pure and unfading light of divine truth. The ecumenical councils, as the major institution of Church administration and an incomparable symbolic expression of the Church's self-consciousness, had, and indeed have and always will have, the right to legislate new canons and revise, re-examine, ratify, and confirm existing canons. This gives the Church the opportunity to show her pastoral sensitivity.

To speak of "pastoral sensitivity" is really to speak not just of moral justification of laws, which should be observed with rigour and precision in their application in practice, but of profound theological understanding of the task of guiding Christians to their salvation and theosis. "Pastoral sensitivity" means applying the principles of Orthodox soteriology and anthropology even to the everyday faith and order of church life, whether it refers to ecclesiastical administration at its highest or at some intermediate level, the problems of the clergy or those who have embraced the angelical state of monasticism, family and personal life of all her members, and generally to a society governed by the light of the gospel, which ultimately is not to be and cannot be identified with any temporal, theocratic-style empire, even if it purports to have the gospel as its constitution, but with a supra-democratic, Christocentric communion of the people of God.

Pastoral sensitivity in connection with the councils or synods of the Church reveals to what extent discipline and doctrine, which are the primary responsibility of the synodical institution, concern every member of the Church. The whole Church is the Lord's flock of rational sheep. The council or synod is a gathering in the context of the Eucharistic celebration, a Christocentric event from which all charismatic life has its source, an epicletic gathering in a particular place at a particular time of spiritual pastors, shepherds of the Lord's holy flock, divinely appointed and anointed, elected and ordained, consecrated high priests of the people of God who compose his Son's sacred mystical body. Whether they are bishops (episkopoi), or priests (presbyteroi), or deacons (diakonoi), they are in differing degrees engaged in pastoral responsibility and each one in his own rank symbolizes the loving concern of Christ, the supreme arch-pastor, to

save every human soul.

On the foundation of her truly eschatological experience through the Divine Liturgy and the other sacraments, the eucharistic and ascetic life in all its degrees and variety, the Church acquired an infallible certainty that if the faithful respected and obeyed the norms enshrined in her canons which were in every case a just medium, the fruit of a long and rich experience, discerned by common accord and conciliar approbation, they would vivify the grace of baptism, sealed by the chrism of the gift of the Holy Spirit. Their respect and obedience towards the sacred canons of the Church is nothing more or less than the faithful observance with all their heart and soul and mind and strength (Mk 12.30) of the double law of love of God and love of their fellow-men, through which means they might be transfigured by the uncreated light of him who is all truth and find themselves justified and saved and deified.

The spirituality which is contained in the canons of the Church, as in the case under examination of the Council in Trullo, is the mature fruit of mystical and grace filled life in Christ, an eschatological experience of the truth which cannot be conceived by unilluminated human logic. It is a visionary piety of an absolutely transcendental and supra-cosmical character which is as far removed from shallow pietism or narrow, legalistic moralism or purely external restraint as the sun is from darkness, as freedom from slavery as the day from the night. There is it is true, the classical problem of how to reconcile the absolute holiness of the Church, the life-giving source of grace and the sure ark of salvation, with the seemingly unremediable tendency, of even her baptized members, in as much as they are free human beings, to sin and to return to the fallen state from which they were delivered through holy Baptism. The Church, however, does not moralize, but is instead profoundly realistic. She does not proudly judge and harshly condemn the sinner, but humbly encourages him to repent in a spirit of optimistic joy. With the help of her disciplinary canons, she guides the pennant sinner not simply back to the point from which he has fallen, but to infinitely greater heights of virtue, into the light and grace-filled atmosphere of divine intimacy.

After this somewhat extensive preamble in the guise of an historical introduction to the Council in Trullo and a theological analysis of the idea of "pastoral sensitivity," let us turn without further delay to an examination in detail first of the "introductory address" of the holy Fathers assembled

in the “Trullo” of the imperial palace to the most pious Emperor Justinian II and afterwards of the pastoral sensitivity of these holy Fathers, as it emerges from the canons. The *Introductory Address* (Λόγος Προσφωνητικός) of the council to the emperor is in itself a theological declaration of profound significance and the highest importance. It reveals the exclusively biblical foundation, drawn from the Old and New Testaments, of the idea of an imperial church, that is to say of the universal church in the realm of the universal emperor, and in particular its understanding of its salvific mission as a spiritual struggle with the unseen powers of evil. It could be termed, in the best sense, an example of Byzantine imperial spirituality which, precisely because of its pastoral sensitivity, is valid for all time and in all circumstances. Significant in itself is the use of the word “flock” (ποίμνιον) to describe the subjects of the emperor. In this way, the holy Fathers of the Council in Trullo considered even the administration of the imperial government as part of the pastoral activity of the Orthodox Church. The personal orthodoxy of the emperor is a vital element in both the moral discipline of his subjects and the spreading of the gospel, or more often the re-affirmation of evangelical principles and virtues, among those in the rural and more distant parts of the empire. These last-mentioned are people who had either been baptized but not yet properly instructed in the Orthodox faith or those whose superficial orthodoxy was contaminated with pre-existing pagan or Jewish elements. The Byzantine emperor is likened to one of the warrior-saints engaged in battle with the devil, who is constantly seeking to introduce heresy, to provoke confusion, dissension and despair, and to instill unrest and discontent among the population of the supposedly Orthodox imperial state. The empire is likened to a huge ship, of which Christ himself is the helmsman, invisibly guiding it, while the emperor is the captain. Thus, by analogy to this way of thinking, if there is a visible representative of Christ on earth, it is, in the first instance, the emperor and not any particular church leader.

During the course—usually at the conclusion—of the first four ecumenical councils, the introductory address of the Fathers to the emperor mentions the notable absence in recent centuries of any canonical legislation to confront the pressing need for moral and spiritual renewal of Christians.” Consequently, “one such address it goes on to say” the holy nation, the royal priesthood, for whom Christ died, having been torn asunder because of diverse disorderly passions, and dragged apart, and little by

little severed from the divine fold and split up, and from ignorance and forgetfulness of the achievements of virtue sliding away and, to quote the Apostle, trampling upon the Son of God, and considering the blood of the covenant, by which they were sanctified, as something common, insulted the grace of the Holy Spirit.” The address continues by mentioning the earnest desire of the Fathers of the council to feel the presence of the Lord among them, so that in a spirit of concord and mutual understanding, with a deep sense of personal and collective responsibility and resonance of hearts, they will be able to help the emperor restore peace and good order to the church of God, by decreeing the necessary canons.

Thus, the Council in Trullo, considered then as an essential continuation or complement to the foregoing Sixth Ecumenical Council, came in the course of time to be seen, as indeed it was, as the canonical “supplement” of the two previous ecumenical councils, which had not, for various reasons, decreed any new canons. The term *Penthekte* (Πενθέκτη) or, in Latin, *Quinisext*, was most likely invented by the renowned canonist Theodore Balsamon, who was Patriarch of Antioch from 1185 to 1191. In any case, the council represents a landmark in the history of the canon law of the Orthodox Church. The first two canons confirm the absolute validity of all the previous Canons and dogmatic decisions of the first six ecumenical councils as a primary and basic foundation together with the holy Scriptures, of Christian life and faith. As a second layer, so to speak, on this base, the so-called apostolic canons, 85 in all, (although the Roman Church only acknowledges the first 50 of them), and the Canons of a certain number of local councils, held during the fourth and fifth centuries after Christ in different parts of the Roman Empire (principally, of course, in the East), as well as the canonical decisions which were derived from letters of a profoundly pastoral nature of several of the great fathers and teachers of the undivided Church, all of them distinguished hierarchs.

The eminent librarian of the Vatican of the last century who specialized in the history of the canons and the hymnography of the Greek Church, Cardinal Jean-Baptiste Pitra, divides the 102 canons of the Council in Trullo into four main groups as follows:

- 1) Canons 1 and 2 – Introduction
- 2) Canons 3 to 39 – Concerning the Clergy
- 3) Canons 40 to 49 – Concerning the Monastic Life
- 4) Canons 50 to 102 – Concerning the Laity.

However, one of the most distinguished contemporary Orthodox canonists, Metropolitan Paul Menevisoglou of Sweden, in his *Historical Introduction to the Canons of the Orthodox Church*, published in Greek in Stockholm in 1990, prefers a more analytical grouping of the different canons, as follows:

- 1) On dogmatic questions – Canons 1, 79, 81, 82, 84, 102
- 2) On matters of ecclesiastical discipline – Canons 3, 4, 5, 6, 7, 9, 10, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 30, 33, 34, 63, 64, 68, 76, 80, 88, 97.
- 3) On matters of ecclesiastical administration – Canons 2, 8, 37, 38.
- 4) On matters of ecclesiastical organization – Canons 36, 39.
- 5) On the question of reception into the Orthodox Church – Canon 95
- 6) On the question of ecclesiastical property – Canon 35
- 7) On questions of divine worship and liturgics – Canons 28, 29, 31, 32, 52, 55, 57, 58, 59, 66, 67, 69, 70, 73, 74, 75, 78, 83, 89, 90, 99, 101 (Within this group, Metropolitan Paul draws attention to the discrepancy between canons 31 and 59 on the question of baptism taking place in a private chapel, concerning whether it is permitted even with the permission of the local bishop.)
- 8) On questions concerning the monastic life – Canons 40, 41, 42, 43, 44, 45, 46, 47, 48, 49.
- 9) On questions concerning the Christian life – Canons 50, 51, 60, 61, 65, 71, 77, 85, 86, 91, 92, 93, 94, 96, 100.
- 10) On questions concerning matrimonial law – Canons 53, 54, 72, 87, 98.
- 11) On the problem of relations with the non-Orthodox – Canon 11.

For the purpose of examining the canons of the Council in Trullo from our particular perspective of pastoral sensitivity, we shall mention a representative selection from the 102 canons. The text of the relative canons itself reveals that, regardless of the particular practical aspect in each case predominant in the minds of the fathers was the necessity on the one hand of protecting the faithful from unedifying and scandalous situations which would endanger their spiritual life and even their salvation, and on the other hand of their moral edification and the spiritual elevation of their

hearts and minds to God. There are insistent reminders that the Church sees as her purpose the sanctification and salvation of the whole people of God. Also, while it is evidently neither possible nor desirable even to mention in the canons specific directives for the personal spiritual life of the faithful, the whole tenor of the canons is to reintroduce the fervor of religious practice which was so characteristic of the early Christian Church.

Undoubtedly the most serious internal problem of church discipline was the state of the clergy. From the canons themselves one is left to understand not a few situations of irregular conduct among the bishops, first of all, and then of the other clergy, which, besides being in themselves irregular provoked grave scandal among the laypeople and either encouraged them to follow their bad example or alienated them from the maternal embrace of the Church. Furthermore, there have always been, unfortunately, those who nourish hostile sentiments towards the Church, and, inspired by the devil, exploit the moral lapses of the clergy, particularly, in a ruthless attempt to defame the Church and even Christ himself for their own devious ends. We cannot but emphasize the great sensitivity shown by the canons of the Council in Trullo to the lamentable weakness of the clergy and of the monastic orders to maintain the moral purity and total devotion to God consequent to their high vocation. In the third canon for example, it is pointed out that the emperor himself, replying to the Introductory Address of the fathers of the council had touched on the vexatious question of unlawful second marriages of the clergy. The council considered that the best solution to this problem was to bear in mind the exact application (*ἀκριβεία*) of the relative canons which was customary in the Roman Church (in fact by this time total celibacy) and the "philanthropy and sympathy traditionally shown by the Church of Constantinople and to arrive at a just mean, whereby neither meekness would be seen as unwarranted softness nor severity seen as unjustifiable and counterproductive hardness, above all in cases where the guilty could plead ignorance or circumstances of humanitarian necessity. They are given a time limit in which to regularize their situation after which the bigamist priests and deacons will be defrocked. At the same time, the canon reiterates a fine distinction between blatant moral offenders who should justly be punished and those who have married widows or made a first marriage after their ordination that the latter should abstain from all further liturgical functions, but retain their rank of priest deacon or subdeacon. However, once this very precise

period of grace and economy has expired, the exact application of the relative apostolic canons forbidding the ordination of persons twice married or married to widows and certain other categories of women will be rigorously observed. This canon is a good example of what we were saying previously about the criteria of Orthodox spirituality penetrating into the heart of a very human problem where the ultimate aim must be, at the same time, the maintenance of the highest possible level of Church discipline and the possibility shown to erring souls, and indeed of pastors, of finding through sincere repentance their salvation. On the other hand, in the sixth canon it is stressed that any candidates for holy orders who wish to marry must do so before their ordination as subdeacons. One discerns that perhaps the most sensitive area in the pastoral approach to moral and spiritual renewal in the Church is in confronting the problems of the pastors themselves.

The seventh canon touches upon a problem which was certainly a delicate one in Byzantine society where everything was regulated by protocol (but even today is still relevant unfortunately.) No deacon, whoever he may be not even the Great Archdeacon of the Ecumenical Patriarch, has the right to sit before a presbyter unless he is officially representing the patriarch or a metropolitan. Probably the cause of the problem was the fact that most of the chancery officials of the Great Church, Saint Sophia, with an influence of much the same kind as the high ranking court officials of the imperial palace had the rank of deacon, while often their functions within the patriarchate made them feel more important than some of the metropolitans. Nothing is so unseemly for a clergyman of any rank as to want a precedence which does not belong to him. Nothing else is so likely to dissolve fraternal love, to destroy the harmonious spirit of concord among fellow clergy and indeed concelebrants.

It is interesting to remark the insistence of the 16th canon that from the time when the diaconate was instituted with the election of the seven deacons by the early Church, their function was not primarily a liturgical one, but a strictly pastoral one, devoting their attention to the common needs of the Christian faithful and thus "becoming good examples to all of us of philanthropy and diligence as far as the poor and needy are concerned." Obviously the content of the idea of "service" (*diakonia*) was different at the time of the apostles, different again during the millennium of the Byzantine Empire and different again today. In the Orthodox spirit of renewal,

which always means a return to the sources we will rediscover that the diaconate has a pastoral dimension which is quite particular to its rank and that this is something of which the Council in Trullo was well aware.

Another instance of vital renewal of church institutions was the council's re-appraisal of monasticism with a particular emphasis on the key role of the local bishop as the person ultimately or immediately responsible for blessing the entry of a candidate into the monastic life both by putting on the habit (canon 40) and by leading those who wish to enter the solitary life as hesychasts (canon 41). In both instances, the candidate who should be of an age mature enough to know what he or she is doing, is required to pass a three year period during which his or her obedience and general aptitude for monasticism will be put to the test under the spiritual direction of an abbot (priest-monk). The bishop, however, has the decisive word.

The 11th canon touches on the concrete problem of religious and by extension, social contacts with Jews, but implicitly invokes certain principles concerning relations with non-Orthodox. The Byzantines as a general rule did not specifically either encourage or condemn anti-Semitism. Perhaps it would be more exact to say that they wholeheartedly condemned Judaism, while towards Jews as human beings they showed a fair degree of tolerance. Nevertheless, there seems to have been a systematic attempt by the Jewish communities to draw Christians into their ambience by inviting them to participate in their feasts and fasts, through marriages and relations between young people, through the infiltration of Jewish doctors into the homes of Christian families to look after their sick patients, through contacts in public baths, etc. Besides the evident association of Jews as those who condemned Christ to crucifixion, there was also the suspicion that the Jews of the post-Christian era were involved in the cabal and in black magic and were also the secret allies of the Muslim Arabs. In rural parts of the Byzantine Empire and in the poorer quarters of the imperial capital and the larger cities, like Thessalonike where the mass of Christians were not well educated, there existed a confused situation either of cruel prejudice and blind hatred of Jews or the exact opposite, a very unhealthy syncretism. In any case, the Church found that the only way of protecting the Orthodox faithful was to forbid all contact with Jews. By the end of the 12th century, when Balsamon was writing his commentary on the canons of the Church, he interprets this canon as forbidding all contacts with Latins as well, because they used azymes (unleavened bread),

and all other heretics, particularly as far as the question of medical attention is concerned.

The council, assembled in the imperial palace had inevitably, and for the reasons that we have already explained, a view from the capital of what was taking place elsewhere and judged that uniformity of practice was desirable throughout the empire on the basis of what was approved of as corresponding to the Orthodox ethos of the Great Church of Christ in Constantinople. The 12th canon, for example, mentions that in the Church of North Africa, bishops who had been elevated from the married clergy continued to live with their wives. This was, in fact, permissible in accordance with the 5th canon of the Holy Apostles and represents a state of affairs prevailing up until the fourth century after Christ. What seems to have been, at least up until a certain time, a prevailing custom, probably discreetly practiced in a part no longer of the empire where Christians were no longer in a majority (after the Arab invasion with the new predominance of Islam and the presence of a Jewish minority), is deemed in Constantinople to be a contentious point of ecclesiastical discipline and a potential cause of scandal to the faithful. The older, more lenient practice of the apostolic canon, which of course still prevails today in the Anglican, Old Catholic and Lutheran Churches, is now, precisely for reasons of pastoral sensitivity, but also because of a finer, more spherical theological understanding of episcopacy, abolished in favor of the rule of perfection. The idea behind this is undoubtedly that too great a degree of condescension leads to a general relaxation of moral rigor in church life with predominantly negative effects. There are also moments, for many and good reasons, when economy should tend rather towards severity than towards condescension. A bishop is above all the spiritual father of the souls entrusted by the Church to his pastoral care and love. He has constructed a spiritual marriage with his diocese and for this reason must relinquish the bonds of family life to devote himself entirely to his episcopal duties. The 48th canon suggests that the bishop's former wife would do well, if she is worthy, to become a deaconess, to be able in a new role to help her former husband's pastoral activity, that is to say, if she prefers not to take monastic vows and live the closed life of a convent.

The corollary of the 12th canon is the next one, the 13th, which affirms the rule of apostolic precision and good order against the Roman custom which had already acquired in the Latin West the force of a canon. It in-

sists that the married clergy maintain not just a normal but rather an exemplary marital and family life. There is no question of obliging the entire clergy to be celibate. The principle of discernment, nevertheless, is also stressed, so that a married priest or deacon preparing to celebrate the holy liturgy, together with the preparation of fasting and prayer, will also abstain from sexual relations. However, exaggerated asceticism in this regard, for reasons of so called piety, is severely condemned with the *epitimion* of being excommunicated or being defrocked from the clergy.

Clergy, obliged by barbarian invasions or other difficult circumstances (such as wars) which prevent the continuation of normal life, who abandon their dioceses or parishes without the specific written permission of the bishop (or the patriarch or metropolitan, in the case of a refugee bishop) should return to their own churches as soon as the danger has passed (Canon 18). The primary duty of every pastor is to remain with the faithful entrusted to his care, particularly in times of dangers and temptations. Under no circumstances should a member of the clergy of one diocese be accepted by the bishop of another diocese without a letter of release from his previous bishop (Canon 17).

The duty of preaching and teaching the faithful, particularly on Sundays, by interpreting the gospel is primarily the duty of a presiding, that is to say, diocesan bishop. Neither priests, deacons, nor laypeople, nor bishops from other dioceses have the right to preach without the diocesan bishop's specific permission. On the question of the authentic interpretation of the holy scripture, the bishops are exhorted to follow precisely the writings of the eminent holy fathers and acknowledged Orthodox teachers of the Church and not simply their own ideas. Only on the basis of sound patristic teaching can spiritual progress and genuine moral improvement of the faithful be assured, since then they know (both the other clergy and the laity) what is approved or not approved by the Church, and what is helpful for them or harmful. Thus, ignorance is dispelled and, knowing what are the true and lasting fruits of virtue and what are the dangers and temptations which all the members of the Church are likely to encounter, being aware at the same time of the punishments incurred by a sinful and irregular life, they may work out their salvation in an atmosphere of genuine Christian liberty (Canons 19, 20, 64).

What happens to a bishop when he is unable to visit his diocese or is permanently exiled because the diocese is under barbarian occupation or

because the Christians have been obliged to abandon their ancestral homeland? A bishop, and by extension a metropolitan, autocephalous archbishop (like the Archbishop of Cyprus), or even a patriarch, must enjoy all the rights and benefits befitting their dignity and be able to celebrate hierarchically wherever they may find themselves, with the permission, of course, of the local bishop (or the Ecumenical Patriarch) without, however, having the right to stand in the *synthronon*, which is the exclusive privilege of the bishop in his own diocese. Balsamon mentions a specific instance in his own time of the Metropolitan of Ikonion, exiled from his own diocese but continuing to ordain bishops for dioceses in his metropolitical jurisdiction, although they also were under occupation. Reference was made previously to the unique case of the then Archbishop of Cyprus John, the president of an autocephalous Church in exile, being accorded specific rights over the Metropolitan of Kyzikos, which normally only the Ecumenical Patriarch enjoyed (Canons 37, 39).

An important part of the canon law of the Orthodox Church concerns the question of marriage in all its phases, with all its contingencies. It is a field in which, perhaps more than in any other, a high degree of real pastoral sensitivity is required, inasmuch as human souls are involved in a sacred relationship which symbolizes the love of Christ for his Church and these human souls must be saved. First of all, Orthodoxy implies the positive assent of the free will. There is and can be no legal restraint. It is love that will make the external unity of two individuals an internal, truly spiritual union of persons. Love moves in the sphere of divine freedom. At the same time, love is also the knowledge which leads to a deeper understanding of the loved one and brings with it the possibility of a spiritual growth which can ultimately arrive at sanctity and deification. However, precisely because we are descendants of the first human couple, Adam and Eve, our freedom can be used in an inverse, negative direction. Love turns exclusively towards ourselves. The knowledge which should be an expression of love is distorted and the person, instead of being transfigured by grace, is disfigured by sin, above all by the exclusive or primary love of self.

In a situation of spiritual, moral and social degradation such as the crisis which not only confronts our own age, but an age such as the seventh century in Byzantium, for which purpose the Council in Trullo was convoked, the question of marriage ethics and the relations between the two sexes was inevitably one of the most urgent. The Orthodox approach, which

is the biblical and patristic approach to this question, is at the same time both supremely theological and profoundly frank and realistic, far removed from the abstract attitude of Roman Law or the disincarnated theories of Greek philosophy. One is obliged to agree that even the great legislator of the Greco-Roman-Byzantine world, Emperor Justinian I was much closer to the ecclesiastical tradition than that of Roman Law of which he is supposed to be the inheritor. We previously touched on the problems of the clergy and marriage. Let us see now how, in general terms, the fathers of the council were thinking on this matter.

In the 54th canon, perhaps as nowhere else in the canon law of the undivided Church or the imperial legislation where marriage is concerned, the impediments to marriage are laid down clearly and succinctly. In establishing this canon, the fathers of the council had in mind both the previous church law on the subject, principally the 87th canon of Saint Basil the Great which was still considered very authoritative, and the high and low norms of moral conduct within the wider family circle. Even today in the Orient, marriage is a communal event which brings families together as if they were royal or noble dynasties. Very often, the parents choose for their children a suitable marriage partner, although the young people themselves should be, and today usually are, mature enough to understand whether they are suited to one another and if they can live together in a lasting union. The biblical simplicity of contracting a marriage has a magnificence and a beauty which worthily reflects the theological and ecclesiological prototype which is the mystical union of love of Christ and his Church. This is also reflected throughout the whole service of marriage in the Orthodox Church. The union takes place between two people similar as "persons" and unsimilar as "individuals", where too close a familiarity will evacuate the mystical union of any theological sense and reduce it to a carnal relation which looks only to the satisfaction of sexual instincts. The fathers of the Council in Trullo pursue the logic of Saint Basil to forbid marriages within the family circle as far as the fourth degree, that is to say between two first cousins, a daughter and her mother to a son and his father, two brothers with a mother and her daughter, two brothers with two sisters. The 53rd Canon also forbids marriages between close spiritual relatives through holy Baptism, such as between a widowed mother with the godfather of her child. As Balsamon rightly points out, adoption also has the same analogy as baptism in the degree of relations. It is not without

interest to mention that our present Ecumenical Patriarch, Bartholomaios, as a deacon writing his doctoral dissertation at the Oriental Institute in Rome, while acknowledging as "exactness" (ἀκρίβεια) later developments through imperial and patriarchal decrees forbidding marriages in the fifth, sixth and seventh degree, seems to prefer, for the sake of Pan-Orthodox conformity and for reasons, precisely, of pastoral sensitivity that the basis of matrimonial law in the Orthodox Church should be these two canons, the 53rd and the 54th of the Council of Trullo.

Another very important canon relating to the problems of marriages is the 72nd canon, forbidding marriages between Orthodox and non-Orthodox, adding, however, that if a marriage has taken place between two "unbelievers," one of whom in due course has accepted the light of truth and has been baptized, while the other partner remains outside the Church, they are not obliged to separate because as Saint Paul pointed out, the unbelieving husband has been sanctified by his wife's faith in Christ and the unbelieving wife similarly by her husband's faith. However, if the baptism of one of the partners seems to the other a sufficient reason for separation, let them divorce by mutual consent.

Because as we have emphasized, there is a theological foundation but also simultaneously a concrete historical context in the case of every canon, it is worth noting the characteristically illuminating interpretation of Balsamon that the council had in mind the particular instance of Georgian Orthodox Christians who gave their children in marriage to Muslims, quite possibly their fellow countrymen who had embraced Islam under pressure. As we pointed out earlier, the Council in Trullo was the first occasion in which the Orthodox Church was able to make an appraisal of a new situation provoked by the extraordinarily rapid dissemination of Islam in the Orient and the Mediterranean world, which was hitherto exclusively Christian.

The canons do not speak specifically of divorce as it is understood in contemporary civil law but rather of a dissolution of marriage, either in good faith or because of the abandoning by one of the partners of the other, i.e., for reasons of adultery. In the first category of a separation taking place in good faith can be considered, as we have seen, the instance of married clergy elevated to episcopal rank (Canon 48). Another instance in the same category is an unusual case of economy (Canon 30) for priests in barbarian territories (Balsamon says that the Fathers of the council had in

mind the Caucasus and the regions north of the Black Sea) who, for reasons of a somewhat naively exaggerated piety, have put aside their wives. The canon permits them to separate by mutual consent. Another instance is that of husbands who have left home and whose lengthy absence or disappearance, perhaps while serving in the army, leave a well founded suspicion that they may have died. Perhaps we have read too many novels or seen too many films to know what happens in these cases! The wife, presuming that she is a widow, takes another husband, and then one day her original husband reappears. Once again, Balsamon in his interpretation of the related canon 93, gives us extremely detailed advice on the necessary procedure. The plain fact of the matter is that if the absent husband is proved to be still alive, the second marriage will automatically be null and void and the wife subject to the ecclesiastical penalties for adultery, though not for fornication. According to the 98th canon, a man taking as his wife a woman betrothed to another man still alive is also subject to the penalties for adultery. Principally, it is the 87th canon which treats of the instance whereby one of the marriage partners abandons the other to live in adultery with another partner. The innocent partner, if there is such, is pardoned and permitted to receive holy Communion, while the guilty partner is subject to a long period of penitence—seven years according to the canon before being allowed to receive holy Communion. The canon does not mention formally divorce but, under the circumstances, the marriage is considered to be dissolved.

Of considerable interest from the point of view not just of pastoral, but even more of theological and ecclesiological sensitivity, is the decision of the fathers in the 95th canon regarding how non-Orthodox of varying categories should be received into the Church. Simplifying the categories will certainly help us to discern the fathers' thinking on this matter, and certain conclusions evolve which could and perhaps should serve as guidelines in current pastoral practice. Those who return to Orthodoxy from such heresies as those already mentioned in the 7th canon of the Second Ecumenical Council (Arianism, Macedonianism, Novatianism, Apollinarianism, etc.) are received with a "libellus," a confession of Orthodox faith, in which they anathematize their former heresy and are chrismated with the holy Myron. Such heresies have a trinitarian theology, albeit dubious. Former Eunomians, Montanists, Phrygians and Sabellians, who do not even have a vestige of Orthodox trinitarian theology, must pass through all the proce-

dures customary for pagans and then be baptized. Former Manichaeans and Gnostics (Marcionites, Valentinianites, etc.) and those coming from similar marginal heresies must also of course be recatechized and then baptized. Those who return to Orthodoxy from heresies condemned by the Third and Fourth Ecumenical Councils are accepted with a confession of Orthodox faith and a condemnation of their former heresy. Afterwards they may receive holy Communion without any further requirements.

Certain canons of local councils ratified by the 2nd canon of the Council in Trullo are specifically repeated, obviously as pastoral directives. Such, for example, is the 83rd canon, renewing the 25th canon of Carthage, forbidding anyone from giving the holy gifts of the Eucharist to someone who has already died. A dead body can neither "take," nor "eat." The 91st canon is a repetition of the final paragraphs of the 8th canon of Saint Basil specifically condemning the abortion of unborn children as murder. The 75th canon is perhaps inspired by the 15th canon of the Council of Laodicea, emphasizing the necessity of decency and good order in church singing, not with unseemly cries nor with improper additions of words unsuitable for the Church's worship, but with great attention and compunction, because God knows the inner sentiments of our hearts.

We have deliberately reserved until the end the last of the 102 canons of the Council in Trullo, because perhaps no other canon so specifically reveals that which we have called "pastoral sensitivity" and which in fact permeates, as we have tried to show, all the deliberations and canonical decisions of what is considered to be an ecumenical council. Pastoral care and education in moral discipline to the point of true spiritual maturity takes place in the Sacrament of Confession. Those entrusted with spiritual paternity, bishops, in the first place, and then priests, must discern the exact nature of sin, the possible and probable causes and its likely effects. They must discern the true disposition of sinners, their degree of contrition and readiness to repent and to change their ways. They must discern in the light of these two factors the appropriate remedy for healing the spiritual sickness of the sinner's soul. Too harsh a remedy might provoke either despair or a violent reaction, aggravating the spiritual sickness to the point where nothing further can be done. Too lenient treatment will have no effect whatsoever. The power of sin will simply increase and the sinner will become more arrogant. Great patience, exact discernment and prayerful sympathy are necessary therefore to follow the progress of a repentant

soul, to “feel” exactly where the penitent’s disposition lies and to employ the analogous method of healing. The bishop or priest, who are spiritual doctors, must know well how to use both measures—τὰ τῆς ἀκριβείας καὶ τὰ τῆς συμπαθείας ἢ τῆς συνηθείας—that which the canons impose in strict precision as the penitential rule and that which is perhaps more habitual from a point of view of sympathy to a fellow human being trying to get up again and walk after a fall. Saint Basil, who was a model of spiritual wisdom and comprehending discernment, was of the opinion that one should follow the customary and more lenient manner of treatment when it is evident that the penitent is not able, for various reasons, to carry out the strict requirement of the canons.

We have now come to the conclusion of our examination, or at least a relatively brief and representative analysis of the canons of the Council in Trullo, with the purpose of emphasizing the theological, ecclesiological and fundamentally pastoral sensitivity with which the 227 Fathers, and even the Emperor Justinian II himself, confronted the serious task before them of spiritual and moral renewal in the Church at an exceptionally low point in the history of the Byzantine Empire. The council itself as the continuation of the Sixth ecumenical council and, in spite of a ten year interruption, an integral part of it is a major event in the history of the Orthodox Church, although unfortunately it is rarely appreciated as such. The canonical work of the Council in Trullo is of monumental importance and even today can serve as a base for a systematic codification of the canon law of the Orthodox Church. As we have noted, while the canons have an evidently ecumenical and universal character they have also a specifically “Constantinopolitan” character, which understandably provoked a negative attitude towards the council on the part of the Roman Church and also the Armenian Church, whose particular liturgical customs are subjected to criticism in the canons of the Penthekte. The canons of the Church, even those of an ecumenical council inevitably reflect historical situations which have obviously changed with the times. However, inasmuch as they reflect inspired and profound theological meditation on diverse aspects of pastoral sensitivity in confronting those historical situations, their spiritual value not only never grows old, but on the contrary is enhanced with the passage of time as an indelible message of sacred tradition of how the Holy Spirit speaks to the churches.

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The Penthekte Synod and Liturgical Reform

ALKIVIADIS C. CALIVAS

Dogmas, Canons and Worship

By studying the holy canons of local and ecumenical synods, such as those of the Penthekte Synod of 691-692 A.D., I have come to appreciate more fully the pastoral dimensions—the philanthropia—as well as the interrelatedness between the rule of faith, the rule of life, and the rule of prayer.

Prayer is not simply an obligation to be fulfilled mechanically. It is an act of faith, a profound personal encounter with the living God, which results in the illumination of the intellect, the transformation of the passions, and the purification of the heart. Dogmas are not mere theories about God derived from intellectual inquiry, but in the words of Saint Athanasios, “the actual original tradition, teaching and faith of the Church, which the Lord bestowed, the Apostles proclaimed, and the Fathers safeguarded.”¹ The dogmas of the Church are life.² Consequently, they are immediately related to the gifts Christ imparts to us: divine knowledge, new life, and immortality. The dogmas both reveal and safeguard an authentic understanding of the ultimate truths about God, creation, and humankind. These revealed truths are deposited in the Scriptures and Tradition, and are embedded in the liturgical and canonical tradition of the Church. Thus, the holy canons are not lifeless and rigid laws, but the measure and standard for the expression of theological truths and principles in given historical circumstances and situations. Essentially pastoral in nature, the canons are guides which help both persons and communities promote as well as realize the highest excellence. By setting a standard, the canons uphold the basic truths of the Gospel, as they apply to personal and communal living.

¹ Saint Athanasios, *Epistle to Serapion*, 1.28, PG 26. 539.

² See (Metropolitan) John Zizioulas, “Χριστολογία και ὑπαρξη” in *Σύναξη*, 2 (1982) pp. 9-20.

Some may see the canons of the Penthekte Synod, as they pertain to liturgical matters, as a limiting, negative response to liturgical diversity and creativity I believe they should be seen as a necessary, tentative corrective response to certain defective practices, as well as a creative attempt to organize liturgical activity around a given ethos.

The "Liturgical" Canons of the Penthekte Synod

The Penthekte Synod issued one hundred and two canons, thirty two of which are directly related to liturgical concerns and usages.³ These "liturgical" canons do not appear in sequence, nor are they listed systematically according to categories. Dispersed throughout the collection, they deal with a variety of problems and issues, none of which strike the modern reader, at least at first glance, as being terribly important. Perhaps this is due to the fact that we are so distanced from the problematics and the political, social, and religious climate of the seventh century. Or, it may be due to the fact that we are simply accustomed to and conditioned by those things in church life which are commonplace to us now, but were for the Christian faithful of the latter part of the seventh century new developments and expressions. I refer, for example, to such things as the imposition of celibacy upon the episcopate (canon 12)⁴ and the promotion of icons portraying Christ not merely in symbolic form as a lamb, but in human form (canon 84).⁵

³ Although they are not directly related to liturgical matters, one may list several other canons under the rubric "liturgical." Among these are canons that speak to: the deportment (2, 3, 4, 13, 22, 23), dress (27), and appearance (96) of clergy; the teaching and preaching ministry of clerics (19); false lists of martyrs (63); and respect for sacred scrolls (68).

⁴ "This has also come to our knowledge, that in Africa and Libya, and other places, the most God-beloved bishops there do not cease to live with their wives, even after their consecration, thereby giving offense and scandal to the people. Now since it is our concern that all things tend to the benefit of the flock committed to us, it has seemed good that henceforth such a thing shall by no means take place. And we say this, not with the intention of abolishing or overthrowing the things ordained by the Apostles, but as caring for the advancement to better things and the well-being of the people, and not casting any reproach upon the state of affairs of the clergy.... If anyone should be shown to be doing such a thing let him be deposed." The English translation of the texts of the canons is from an unpublished manuscript of the canons of the Ecumenical Synods by Dr. John Cavarinos, made available to me by my colleague Dr. Lewis Patsavos.

⁵ "We decree that the figure in human form of the Lamb who takes away the sin of the world, Christ our God, be from this time on exhibited in icons, instead of the

Initially, some of the canons may appear to be unimportant, curious and unusual to the modern reader. However, below the surface one can discover a significant theological, liturgical, or disciplinary principle which has lasting value for the faith community, though it may need to be reinterpreted and expressed differently in the present time.

The "liturgical" canons (my expression) touch upon many issues, ranging from proscriptions limiting the practice of private sacramental services in private or home sanctuaries (canon 59)⁶ to the condemnation of peculiar local customs and superstitions (canon 79, 67).⁷ By seeking to limit the practice of private ceremonies the Synod wishes to affirm the communal nature and character of the divine sacraments. By decrying superstitions and faulty customs the Synod sought to relieve worship of illusory myths and release people from the delusions of idolatry.

The Synod adopted proscriptions to correct abuses in other areas as well, including such things as: defective hymnography (canon 81);⁸ the improper use of the sign of the cross (canon 73);⁹ and the disrespect shown

ancient lamb. By means of it we understand the depths of the humiliation of the Logos of God, and bring back to memory his sojourn in the flesh, as well as his passion and his salvation-giving death, and the redemption that was brought about thereby for the world."

⁶ "Do not by any means administer baptism in an oratory which is within a house; but let those who are about to be held worthy of the undefiled illumination go to the main church, and there let them enjoy this gift."

⁷ "...Since, some on the day after the holy Nativity of Christ our God are seen cooking semilan and distributing it to one another, on pretext of honoring forsooth the puerperia of the blameless Virgin Maternity, we decree that nothing of this sort be done by the faithful. For this is not honor for the Virgin, who above mind and speech bore the incomprehensible Logos in the flesh, if we define and describe, from common and ordinary things, her ineffable childbirth."

"The divine Scripture commanded us to abstain from blood, from things strangled, and from fornication. Those who therefore on account of a gluttonous stomach prepare by any art for food the blood of any animal whatever, and thus eat it, we punish fitly."

⁸ "In as much as we have learned that in some regions in the Trisagion hymn after "Holy and immortal" there is added the "who was crucified for us, have mercy upon us," and this, as being alien to piety, was cast out of the hymn by the ancient and holy fathers, as were also the heretics who unlawfully introduced these new words; we likewise, confirming the things which were in the past piously legislated by our holy fathers, anathematize those who after the present decree still accept in the churches the addition of this or any other phrase to the Trisagion hymn."

⁹ We order that the figures of the cross, which some have made on the floor, be by all means removed, so that the trophy of the victory won for us may not be desecrated

for sacred texts (canon 68).¹⁰

Several canons were issued to protect both the meaning and sanctity, as well as the proper use of holy communion. These include proscriptions barring lay persons from communicating themselves in the presence of canonical clergy (canon 58);¹¹ prohibiting the payment of stipends for the distribution of holy communion (canon 23);¹² and prohibiting the communication of the dead (canon 83).¹³

Some canons were issued to regulate fasting practices and customs (canons 29, 55, 56, 89);¹⁴ while others sought to regulate and unify practice in regard to: the celebration of the Divine Liturgy of the Pre-Sanctified Gifts (canon 52)¹⁵; the use of wine mixed with water for holy communion

by the trampling of those who walk over it."

¹⁰ "No one at all is permitted to corrupt or cut to pieces books of the Old or New Testament or of our holy and approved preachers and teachers, or to give them up to the book traders or to deliver them to any such persons for destruction; unless, of course, a book is made useless, either by bookworms, or water, or in some other way... Likewise also he who purchases such books, unless he keeps them himself for his own benefit, or gives them to another as a good service and for preservation."

¹¹ "Let no one belonging to the lay order offer to himself the divine mysteries if a bishop, presbyter, or deacon be present. But he who shall dare such a thing, as acting contrary to what has been declared, let him be excommunicated for one week, and be instructed thereby not to consider himself more highly than he ought to."

¹² "No one, whether bishop, presbyter, or deacon, shall, when administering the immaculate communion, collect fees of any kind from the communicant for the sake of this communion. For grace is not sold, nor do we give for money the sanctification of the Spirit; but it is to be communicated in a guileless manner to those who are worthy of the gift."

¹³ "Let no one give the Eucharist to the bodies of the dead; for it is written (Mt 26.26): "Take and eat." But the bodies of the dead can neither take nor eat."

¹⁴ "Certain people eat eggs and cheese on the Saturdays and Sundays of the holy Lent. It therefore seems good that the Church of God which is in all the world should follow one order and keep the fast perfect, and just as they abstain from everything that is killed, so also indeed should they from eggs and cheese, which are the fruits and products of the animals we abstain from." "The faithful spending the days of the salutary Passion in fasting, prayer, and contrition of heart ought to fast till the midnight of the Great Sabbath; since the divine Evangelists Matthew and Luke have shown how late at night it was [i.e., the resurrection time], the former using the words "in the end of the Sabbath" (Mt 28.1: *opse sabbaton*) and the latter the words "very early in the morning" (Lk 24.1: *orthrou batheos*)."

¹⁵ "On all the days of the holy fast of Lent, save on Saturday, Sunday, and the holy day of Annunciation, let the sacred Liturgy of the Presanctified be performed."

(canon 32);¹⁶ the prohibition of kneeling on Sundays (canon 90);¹⁷ and the joyful observance of New Week (canon 66).¹⁸

Other canons were adopted to ensure the observance of Sunday through regular church attendance and the frequent reception of holy communion (canon 80)¹⁹; the continuity of effective catechetical instruction (canon 78);²⁰ and the need for good, proper and effectual chanting in the churches (canon 75).²¹

The Synod also issued canons which were meant to uphold earlier restrictions such as: prohibiting lay persons from entering the sanctuary (canon 69);²² requiring women to remain silent in liturgical assemblies (canon 70);²³ abolishing the serving of Agape meals in churches (canon 74);²⁴ and prohibiting

¹⁶ "Since it has come to our knowledge that in the land of the Armenians they bring forth only wine on the holy table, and that those who perform the bloodless sacrifice do not mix water with it....In order that they may not be held in ignorance henceforth we unveil the orthodox thought...The holy fathers who assembled at Carthage gave the following verbal reminder: 'That in the holy mysteries nothing more than the body and blood of the Lord should be offered, just as the Lord himself determined, that is bread and wine mixed with water.' "

¹⁷ "We have received from our God-bearing fathers the canon that we are not to kneel on Sundays..."

¹⁸ "From the holy day of the resurrection of Christ our God until the next Sunday, the whole week, in the holy churches the faithful should have leisure, rejoicing in Christ with psalms and hymns and spiritual songs; and celebrating, and applying themselves to the reading of the divine Scriptures, and delighting in the holy mysteries. For in this way shall we be lifted up with Christ and be exalted with him. Therefore on the above days let there be no horse races at all or any other public spectacle."

¹⁹ "If any bishop, presbyter, or deacon, or any of those who are reckoned in the clergy, or any layman, has no serious necessity or difficult business so as to absent himself from church for a very long time, but residing in town does not go to church three consecutive Sundays in three weeks, if he be a cleric, let him be deposed, but if a layman, let him be cut off from communion."

²⁰ "Those being illumined must learn all about the faith and on fifth feria of the week (Thursday) recite to the bishop or to the presbyter."

²¹ "We will that those whose office it is to chant in the churches do not employ disorderly shouts (*boas ataktous*), nor force nature to screaming (*kraugas*), nor select anything that is unsuitable and improper for the church; but that they offer the psalmodies to God, who is the overseer of secrets, with great attention and contrition (*meta polles prosoches kai katanyxeos*). For the sacred Scripture taught that the sons of Israel were to be pious."

²² "Let no layman be permitted to enter the holy altar..."

²³ "Women are not permitted to talk at the time of the divine liturgy; but, according to the word of the Apostle Paul, 'let them be silent; for they are not permitted to speak, but should be subordinate, as even the law says.' (1 Cor 14.34-35)."

²⁴ "The so-called love-feasts (*agapai*) should not be held in the Lord's houses or

the offering of grapes (canon 28),²⁵ and milk and honey at the Eucharist (canon 57).²⁶

To avoid the creation of *παράσυναγωγή* together with the dissensions, divisions, and discord that would follow, the Synod ordered that clergy could not perform liturgical functions in private homes and oratories without the express consent of the local bishop (canon 31).²⁷ To guard against distinction between the rich and the poor when it came time for holy communion, the Synod prohibited any persons from receiving the consecrated bread in a vessel, usually made of precious metals, rather than in his or her hand, as had been the custom from the beginning (canon 101).

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The remaining two "liturgical" canons help us, at least in part, to understand and appreciate the pastoral nature and dimension of Orthodox canon law. Canon 88²⁹ absolutely forbids any person from bringing animals into churches. Yet, this same canon allows travelers who have no other recourse,

churches, nor should there be eating within the house, nor the spreading of couches."

²⁵ "Since we have learned that in various churches grapes are brought to the altar, according to a prevailing custom, and the ministers bring this together with the bloodless sacrifice of the offering, and thus distribute both to the people at the same time, we determine that no priest shall do this hereafter, but shall give the offering alone to the people for the quickening of their lives (*zoopoiesis*) and for the remission of their sins. But as for the offering of grapes as first fruits, the priests are allowed to bless them separately and distribute them to the ones who ask for them as an expression of thanks to the Giver of the fruits, by means of which our bodies, according to His divine decree, are increased and nourished."

²⁶ "That honey and milk should not be offered at the altars."

²⁷ "We decree that the clerics who perform the liturgy or baptize in oratories located in houses ought to do so with the consent of the bishop of the place. Therefore, if any clergyman shall not observe this regulation, let him be deposed."

²⁸ "...Wherefore, if anyone should wish to partake of the immaculate body in the time of the synaxis, and to offer himself for communion, let him arrange his hands in the form of a cross, and thus draw near and receive the communion of grace. But those who, instead of their hands, make vessels of gold or other materials for the reception of the divine gift and by these receive the immaculate communion, we shall by no means allow to come, as preferring inanimate and inferior matter to the image of God."

²⁹ "Let no one drive into a church any beast whatever, except a traveler, compelled by the greatest necessity, in default of a shed or resting-place, may lodge in said church. For unless the beast had been taken inside, it would have perhaps perished, and he, by the loss of his beast of burden, and thus being without the means with which to continue his journey, would be in peril of death. Since we are taught that the

to keep their animal(s) with them when by some necessity they are obliged to take refuge in a temple, for, the canon states, "through it all, it is preferable to consider the salvation and safety of the human being." In a similar vein, although a second baptism is strictly forbidden, canon 84³⁰ makes a slight concession. It allows persons to be (re)baptized,³¹ when their baptism as an infant is in doubt for the lack of evidence by credible and reliable witnesses. It is clear that the Church does not issue canons in the void. Rather, they are promulgated as a result of particular circumstances and needs. Therefore, to be understood properly, the holy canons must be seen in their historical context. The abolition of the Agape meals is a case in point.

Human beings are susceptible to many temptations, including the exploitation, for personal gain, of sacred events and services. Such, I believe, is the case behind the prohibition of the Agape meals. From the start, these meals were a source of irritation to the community, as evidenced by the admonitions of Saint Paul addressed to the Corinthians (1 Cor 11.20-22). Besides the internal disturbances which such meals were causing to the community, two other dangers also had to be confronted: the merchandizing of foodstuffs within the precincts of the temple and the hoarding of food by some members of the assembly. To stop these abuses, as well as to protect the honor of the faith community and the good order and dignity of the place of worship, the Agape meals were simply disallowed, having outlived their original purpose and usefulness.

The abolishment of the Agape meal underscores an important liturgical rule. When certain institutions are no longer viable, it behooves the Church to recognize the problem and to act decisively to correct it, by either altering and adapting the institution or removing it completely.

Sabbath was made for man (Mk 2. 27), therefore the safety and comfort of man are by all means to be considered preferable."

³⁰ "...We also decree concerning infants, as often as dependable witnesses are not found who say that these have undoubtedly been baptized, and since the latter are unable on account of their age to answer properly concerning the mystical initiation (*mystagogia*) given to them; that without any hindrance they ought to be baptized, lest sometime such a doubt might deprive them of the sanctification of such a purification (*katharsis*)."

³¹ The requirements of civil law and circumstances such as the one described in the canon led to the establishment and maintenance of registry books by local dioceses and parishes.

Reforming Liturgical Practices: An Example from the Pedalion.

Of special interest to the liturgist are not only the canons themselves, but the commentaries of the medieval canonists,³² as well as the notes and comments supplied in more recent centuries by the Hieromonk Agapios and Saint Nikodemos the Hagiorite, the compilers of the *Pedalion* (Rudder)³³ The explanatory and critical notes of these many exegetes of the canons provide us with a range of interesting and informative details, which shed light on various liturgical developments, practices, and usages. In addition, they provide us with a basis for reassessing certain practices. Let me cite an example from the *Pedalion*.

Commenting on Canon 28 of the Penthekte Synod, which prohibits both the offering and comingling of grapes with the eucharistic elements, Saint Nikodemos provides us with a valuable piece of information regarding the manner by which communion was administered to the sick during the time of a plague. It appears that in some places, it was the practice to place a portion of the consecrated bread in currants or grapes. These were then administered to those suffering from a contagious disease. Saint Nikodemos denounced this practice as inappropriate and unacceptable. Instead, he offered an alternative method, which indicates clearly that he was sensitive to the issue at hand. He suggested the following remedy:

Hence both priests and prelates must employ some shift in time of a plague to enable them to administer communion to the sick without violating this canon; not, however, by placing the holy bread in currants, but in some sacred vessel, so that the dying and the sick may take it thence with tongs or the like. The vessel and the tongs are to be placed in vinegar, and the vinegar is to be poured into a funnel, or in any other manner that they can that is safer and canonical.³⁴

³²The most prominent medieval canonists are John Zonaras, Theodore Balsamon, Alexios Aristenos, and Matthew Blastaris. See *The Rudder*, D. Cummings, trans. (New York, 1957 and 1983) pp. xlv - liii.

In addition to Cummings, an English translation of the canons may be found in the *Nicene - Post Nicene Fathers*, vol. 14.

³³*The Pedalion* — Πηδάλιον (Greek for rudder) is an annotated collection of church canons compiled by the monks Agapios and Nikodemos of the Holy Mountain. It was first published in Leipzig in 1800. Several editions followed in 1841, 1864, 1886, 1908, and 1957. The English translation by D. Cummings was based on the 1908 edition. Besides the *Pedalion*, there are two other important collections of the canons: Ralles and Potles, *Σύνταγμα τῶν θεῶν καὶ ἱερῶν κανόνων*, 6 vols. (Athens, 1852 - 59) and A. Alivizatos, *Οἱ Ἱεροὶ κανόνες* (Athens, 1923 and 1949).

³⁴See *The Rudder*, p. 322 and the *Πηδάλιον* (1957 edition) p. 243.

It is obvious from this account and from no less an authority than Saint Nikodemos, that appropriate methods for the administration of holy communion can and ought to be sought in the face of communicable diseases.

In our own day, the fear of AIDS has brought this question into sharp focus once again. Many people, knowing that AIDS is transmitted via body fluids, express concerns about the use of the communion spoon for the administration of holy communion. These concerns and fears should not be dismissed with an air of spiritual superiority or a call to greater faith, as if the act of communion is void of human considerations and limitations of the created order.³⁵

It is not my purpose here to discuss this controversial issue in depth. I leave the medical considerations to other more qualified persons. I need to underscore, however, what appears to be the prevailing medical opinion, that the AIDS virus is *not* transmitted through saliva. Nevertheless, the use of the common communion spoon remains, at least for some, an open issue. With this in mind I wish to raise two points.

First, the Church in her collective wisdom and authority is free to adapt the method by which holy communion is administered. For example, at the time of the Penthekte Synod, as evidenced by canon 101,³⁶ holy communion was still being administered according to the ancient practice, i.e., each of the eucharistic elements was received separately and sequentially, the bread first, placed in the open palm of the right hand held over the left, and then the wine, by sipping from the cup.³⁷ The communion spoon, by which a portion of the consecrated bread dipped in the cup is administered to the communicant, was introduced gradually during the course of the eighth century. This method of communicating the laity was generalized after the tenth century.³⁸ The spoon, however, appears to have an earlier

³⁵ These arguments usually center on ideas such as: "it is the divine physician himself who is given to the faithful" and "the Eucharist is the divine remedy, the divine medicine that can heal all ills of body and soul." See e.g., Casimir Kucharek, *The Byzantine-Slav Liturgy of St. John Chrysostom* (Allendale, NJ, 1971) p. 715. These statements of themselves are true. However, the issue is not the incorruptibility of Christ and the eucharistic elements, but the possible presence of parasitic organisms. The comments of St. Nikodemos point to the possibility of germs and viruses attaching themselves to the sacred vessels. Hence, he cautioned clerics to take steps to sterilize these vessels in times of a plague.

³⁶ See above, note 28.

³⁷ See e.g., Cyril of Jerusalem, *Mystagogical Catechesis*, 5.21-22.

³⁸ Konstantinos Kallinikos, *Ὁ Χριστιανικός ναὸς καὶ τὰ τελούμενα ἐν αὐτῷ* (Athens, 1958) pp. 205-08. See also D. N. Moraites, "Λαβὶς" in *Θρησκευτικὴ καὶ Ἡθικὴ Ἐγκυκλοπαίδεια* 8, p. 56.

history in the East, having been used in some localities to administer communion to children and the sick³⁹. Its introduction for general use may have been prompted by fears of spilling the elements and in order to curb other abuses⁴⁰. Though this method of administering communion to the laity is now centuries old, it must be remembered that it was itself an innovation, having replaced an older, more venerable practice.

The introduction of the communion spoon, as well as the concern of the Church to uphold the dignity of the act of communion while taking care not to expose communicants to unnecessary risks, as evidenced by the comments of Saint Nikodemos, indicates clearly that the Church of her own authority may choose, when warranted, the method by which holy communion is administered to the faithful.

Second, whatever other method may be developed and used, it is important that it convey clearly the idea of unity and togetherness. From a liturgical perspective, the one bread of the Eucharist, the common cup, and the common communion spoon are all significant sacramental signs. They bring to the worshiping community a heightened awareness of intimate familial relations and communion. In ordinary, everyday human experiences such kinds of sharing, as those we encounter at the eucharistic assembly, are experienced only between family members, close friends, and lovers. In addition, these same signs, the one bread, etc., allow the believers to perceive the sacramental action as a gift from God. The method, therefore, by which communion is administered must always manifest in a significant way that fundamental experience of the Eucharist as an act of intimate communion.

Perhaps no further change in the present method is required, in order to suit the hygienic sensibilities of the faithful, were all the recipients of the sacrament to receive communion with the head held back and the mouth well open and the tongue inside. The celebrant then simply drops the portion of the bread into the mouth without the spoon touching the person's lips or mouth. In fact, this method has been in use for several decades in many Orthodox parishes in the United States⁴¹.

³⁹ Vasilios K. Stephanides, *Ἑκκλησιαστικὴ ἱστορία* (Athens, 1948) p. 282.

⁴⁰ *Ibid.*, p. 282.

⁴¹ The Roman Catholic Church restored communion under both elements in 1965. Four different modes for the distribution of the wine were authorized: direct drinking from the cup; intinction; the rite with a tube; and the rite with a spoon. The latter two options, though lawful, are hardly used in the Latin Church today. See, J. M. Huels, "Chalice, Modes of Distribution," in P. E. Fink, ed., *The New Dictionary of Sacramental Worship* (Collegeville, MN 1990) pp. 175-76.

The Process of Liturgical Reform

True worship is dynamic. It develops and changes. However, authentic, effective and lasting liturgical changes or reforms do not flow out of emotional responses to a given situation, condition or crisis, but are the result of genuine, commonly shared and pastorally proven needs as authenticated by the Church.

Liturgical reform is a complex process. It operates on many levels and may involve one, several or all of the elements which constitute a particular rite or service. One theologian has suggested correctly that the reform of ritual structures and/or texts is accomplished by one or more of the following six processes: excision or suppression, addition or accretion, revival, accommodation, organic development, and transformation⁴².

True liturgical creativity is best expressed in dynamic continuity with the venerable historical tradition of Orthodox worship. Therefore, the reform process, first of all, must be mindful of the authentic liturgical ethos of the Church and be guided by its foundational principles. Also, it must be well-informed, orderly and systematic. Furthermore, it must retain a certain ascetical tension in relation to its cultural milieu, lest it fall victim to one or another ephemeral trend. Moreover, it must emanate from the conviction that the liturgical assembly provides the essential means by which the members of the faith community achieve their most authentic identity. Thus, the rule of prayer with all its varied components must not simply be admired and honored. Above all it must be loved, studied, analyzed, learned and lived. This latter activity constitutes the essence and meaning of liturgical renewal, which in turn is the mother of genuine liturgical reform.

Liturgical Renewal: The Source, as Well as the Goal of Liturgical Reform

The worship of the Church is neither a relic of the past nor a lifeless object of research. Worship is the fundamental activity of the Church. It is her faith in motion. In worship the Church encounters the living God, while through it God is present to the Church. Through her worship the Church conveys, recommends, instills and imparts a particular vision of faith and way of life. Through dogma and prayer, the Church invites us to discover continually, and to experience and realize as well our true and eternal mode of being.

Thus, liturgical renewal, which aims at making worship dynamic, effective and relevant in the changing and developing process of history, is

⁴² See J. W. O'Malley, "Reform, Historical Consciousness and Vatican II's aggiornamento," *Theological Studies* 32 (1971) pp. 573-601.

of paramount importance to the Church. To facilitate the process of liturgical renewal the Church must enable and support her theologians, and especially her liturgists, to advance three fundamental activities. First, the critical examination of the inner meanings of worship, which implies an awareness, as well as an appreciation, of the living tradition of the Church. Second, the critical study and analysis of ritual activity and data, which implies an appreciation of the significance of rite and symbol, as well as a respect for cultural and historical situations. Third, the encouragement of liturgical creativity for a more conscious, active and deeply personal participation of the people in worship, which implies a faith community that is seriously engaged in catechesis and social outreach. This third activity, which may be termed liturgical adaptability, is in actuality the goal of the other two. Liturgical renewal can hardly be sustained without it. Liturgical adaptability, as described by one liturgist, is the means by which the authentic tradition of the Church is enfolded and continued in a culture of a given people who live and worship now⁴³.

In October of 1991, under the sponsorship of the World Council of Churches Sub-Unit on Renewal and Congregational Life, an "Orthodox Seminar on Renewal in Worship" was held in Bucharest, Rumania. Twenty persons from several Orthodox and Oriental Churches gathered to reflect upon and debate, in a preliminary way, issues related to liturgical renewal.

As a consequence of this meeting, a call for papers was extended to a number of Orthodox theologians and liturgical scholars. These papers will appear in a special volume on the theme of liturgical renewal to be published under the auspices of the World Council of Churches. Moreover, the members of the seminar issued a brief report containing summary statements on such items as: "The Meaning of Renewal;" "Current Challenges;" and "New Challenges." Under the heading "Current Challenges," the report gave attention to some of the following concerns: increased involvement of the faithful; issues of communion, confession and fasting; the language of the liturgy; and music. Under the heading "New Challenges," the report dealt with such items as: youth and liturgy; the "Diaspora"; proselytism and rite; and the openness of Orthodox worship.

The conferees also listed a number of recommendations and proposals, ending with an appeal to the churches which reads as follows: "We make a strong plea that all Orthodox churches improve their efforts for more intensive seminars and studies towards a participatory liturgical life. Further, results should be collected for thorough evaluation. It is urgent to increase

⁴³ Charles Gusmer, *Wholesome Worship* (Washington, DC, 1989) p. 53.

awareness about the centrality of renewing worship in all its forms. Each autocephalous church is called upon to institute liturgical renewal processes in the context of local conditions and possibilities.”⁴⁴

An Invitation for Study and Reform

In the preceding section, reference was made to three fundamental activities which the Church is obliged to support in order to advance the cause of liturgical renewal and reform. What follows are some examples of concern in each of the three activities, which serve to highlight, in part, the complexity of the issues and problems related to the process of renewal and reform.

(a) The critical examination of the inner meanings of worship. Worship is an indispensable activity of the Church. It “defines the faith community, sheds light on its tasks and furnishes the basis for the interpretation of situations of daily life that call for a decision.”⁴⁵ Because liturgy contributes significantly to the actualization of the life of faith, the task of renewing it constantly is a fundamental responsibility of the Church.

The Church, therefore, through her theologians and pastors, is bound to continually probe the depths of her liturgical prayer, song, action and symbol, in order to sustain the vitality of liturgy, inform liturgical piety, improve liturgical practice, and insure both the interior and exterior participation of the faithful in worship. More importantly, the sustained analysis of the inner meanings of worship leads us “to understand liturgy as a celebration of what it means to be, to become, and to build up the Church.”⁴⁶ Furthermore, such a study allows us to see and appreciate the connection between dogma and liturgy, liturgy and life, and liturgy and social justice. In addition, we discover meanings previously overlooked; learn to give accent to those aspects and truths of the tradition which may have greater value to the present generation; provide more adequate instruction about the inherited rites; and measure as well the efficacy of their structures and content in the present historical and cultural context.

The invitation to examine critically the inner meanings of worship also entails a certain risk as well as a challenge. Some of our favored ideas, widely accepted notions and explanations, and familiar customs do not

⁴⁴ Unpublished paper of the Orthodox Seminar on “Renewal in Worship” held in Bucharest, Romania, 21-27 October, 1991, p. 10.

⁴⁵ Edward J. Kilmartin, *Christian Liturgy: Theology and Practice* (Kansas City, 1988) p. 35.

⁴⁶ Robert L. Tuzik, *Leaders of the Liturgical Movement* (Collegeville, MN 1990) p.

now or may not in the future, stand up well under the scrutiny of historical research and sound theological reflection.

What do we do when we come up against a deficient liturgical praxis, text, or custom? Do we simply stay the course with an appeal to an uncertain tradition? Or, do such findings become a catalyst for the release of new power and energy in the body of the Church, for a greater appreciation of the tradition as well as a creative response to the emerging needs and circumstances through the gradual enactment of decreed, planned and carefully considered reforms? The following examples suggest the complexities involved in dealing with inadequate explanations on the one hand, and deficient, or incomplete texts on the other.

Anyone who is a student of liturgy will attest to the significance of symbolism in worship. Symbols are dynamic forms of expression which engage the heart and grasp the imagination. They are the language by which inward, invisible realities are revealed. The worshiping experience is enriched by the use of recognizable symbols and by sound, effective symbolic interpretations.

Symbolic interpretations, however, can also have negative effects, especially when they are conceived poorly through uninformed piety. Poor and obscure symbolism detracts from and becomes an obstacle to true worship. The Divine Liturgy, for example, has attracted many such "mystical" interpretations with little reference to the text and the historical development of the rite, or to the meaningful participation of the faithful in the liturgical action.⁴⁷

Liturgical actions generally beg for an explanation. "Why do we say this or do that...?" Lacking sufficient information, the tendency is to in-

⁴⁷ Some wish to see symbolisms everywhere. The late Father Alexander Schememann, bemoaning the appearance of endless symbolic explanations of worship which in effect transform the liturgical action into a series of audio-visual aids, made the following important observation with specific reference to the Eucharist: "Whereas the East lost sight of the true meaning of the Liturgy through an absorption in fanciful symbolisms, the West obscured its true meaning by making a sharp distinction between symbol and reality... If we are to recover the meaning of the Liturgy, we need to go back to the actual text and celebration of the Eucharist itself. We are to see in the Liturgy the fulfillment of the Church as the table of the Lord in his Kingdom. The eucharistic celebration is not something performed by the clergy for the benefit of the laity who 'attend.' Rather it is the ascension of the Church to the place where she belongs in *statu patriae*. It is also her subsequent return to this world; her return with power to preach the Kingdom of God in the way that it was preached by Christ Himself." "Liturgy and Eschatology" in Thomas Fisch, ed. *Liturgy and Tradition—Theological Reflections of Alexander Schememann* (Crestwood, NY, 1990), pp. 96-97.

vent and supply the action with one or more arbitrary symbolic interpretations, which may well defy both the structural laws of liturgy and the historical evidence. Such poor interpretations tend to be "survivors" because they are enveloped in an aura of mysticism, even though they may not be understood or cannot express adequately what they are supposed to signify. One such action in the Divine Liturgy is the waving of the "aer" over the eucharistic elements. It has drawn to itself several interpretations, none of which seem to be convincing to the modern worshiper⁴⁸.

More important, however, insufficient historical knowledge and inadequate symbolic interpretations may result in deficient or incomplete theological formulations. A case in point is the problematic argument of the great medieval liturgist Saint Symeon of Thessalonike (+1429). Explaining the reason for communicating the laity with a spoon, and probably unaware of the historical developments which led to the practice, he proceeds to introduce unintentionally, at least as I understand it, an untenable division between clergy and laity. He comments as follows: "Each one partakes of the mysteries within one's own rank... The Archpriest gives (communion) to those who come forward by means of a spoon (λαβίς). This is in accordance with the vision of Isaiah, for, as it was told, it does not befit all to partake directly of the divine and awesome (mysteries); and that before the divine, one ought to be discreet and circumspect... The rest (who commune) outside (the sanctuary) do not receive the divine bread in their hands, for they are lower in rank and constitute the last portion of the

⁴⁸The custom of raising and waving the aer over the eucharistic elements as the creed is being recited first appeared in the fifteenth century. The practice of holding it over the head of the presiding bishop at an episcopal liturgy appeared later, around the seventeenth century. The custom, however, has a long history. According to Robert Taft, it seems to have originated as early as the sixth century in Syria. See his work, *The Great Entrance* (Rome, 1978), pp. 418-23. Initially, the practice may have served the same function as the liturgical fans, which were waved over the eucharistic gifts, in order to keep insects away. This action quickly drew symbolic interpretations. Theodore of Mopsuestia (c. 350-428) is said to have described the waving of the fans in burial terms, as "something typical of the funeral wake of important people, the intention being that nothing may come to rest on the body; the actions of the deacons thus show the grandeur of this particular body." Cited in Enrico Mazza, *Mystagogy—A Theology of Liturgy in the Patristic Age* (New York, 1989), p. 62. Severus of Antioch (+538) connects the waving of the aer by the deacons to the veil which came upon the Apostle Peter (Acts 11:5-10): "For this reason, therefore, the cloth that is laid upon what is set forth on the altar shows by being lifted and lowered the abundant and perfect gift of the divine Spirit, which was shown to Peter by the vision to have included all nations, which descends from heaven upon [all] that is set forth, and consecrates and hallows it." Cited in R. Taft, *The Great Entrance*, p. 419. Today, the most often

order, though they may be superior in virtue."⁴⁹ Thus, we see how a deficient understanding of the liturgical action can result in a deficient theology and vice-versa.

The critical analysis of the meaning of worship unavoidably involves a prayerful scrutiny of the received liturgical texts (prayers, petitions, hymns, rubrics, pericopes, etc.). This corpus, which forms the essential content of the liturgical calendar and sacramental system, together with other liturgical signs (music, spatial arrangements, postures, gestures, actions, sacred vessels, vestments, rituals, etc.) gives the faith community its most distinguishing characteristics and plays a central role in maintaining the identity of the Church. Through its liturgy the faith community stands before God in a particular kind of way, which defines both its identity as well as its tasks and mission to the world.

The purpose of a liturgical text is basically twofold. On the one hand, it allows the faithful to experience the saving presence of God. On the other, it gives expression to their response of adoration, praise, thanksgiving and petition. Liturgical texts embody the faith of the Church in doxological, poetical and rhetorical language. They interpret and represent the central truths of the faith in a given solemnity and celebration. At the same time they proclaim the promise of salvation, evoke devotional responses of the mind and heart, and provide direction for continued edification in the life of faith.

Since liturgical formulations express the mind and faith of the Church, we are obliged to respect them. But we must also probe them to garner from them their rich spiritual, doctrinal and devotional treasures. At the same time, we must come to recognize that their language, style, references, symbolisms, imagery, and theological emphases are drawn from another era and a different cultural milieu. Therefore, we have an obligation to critique them prayerfully in order to test them for their ability to engage consciously and intelligently the present generations of faithful in the mystery of the economy of salvation. As a church, we are obliged also to pray for and encourage the flowering of new liturgical formulations.

The critique of time honored and venerable liturgical texts is an enormous responsibility and a difficult task. One must expect to encounter

quoted symbolic interpretation of the waving of the aer has to do with the resurrection of Christ. The aer is said to represent the great stone which covered the Tomb and was rolled away at the time of the resurrection. These interpretations are unrelated to the text of the Divine Liturgy and are unintelligible to the contemporary mind.

⁴⁹ St. Symeon of Thessalonike, *Περὶ τῆς ἱερᾶς λειτουργίας*, 99, p. 155, 300 - 301.

hesitation and even resistance. However, an unencumbered search for meaning, which is essential to authentic liturgical renewal, requires an analytical investigation of the texts comparable to that carried out by biblical scholarship.

When critiquing the texts, we are obliged to ask several questions, among which are some of the following: Is the vision of faith embodied in a particular text conveyed fully-and adequately? Is it congruent to the experiences, understandings, sensibilities, and needs of the modern world? How does it fair against the backdrop of the emerging data in biblical, patristic, and liturgical scholarship? If found wanting, could or should the text be refined, recast, or deleted? Who would be responsible for such procedures and decisions?

A number of our liturgical texts appear to have some deficiencies. Let me illustrate this point by making reference to the prayers for the mother in the First and Fortieth Day Rites after childbirth.

In many places today the pre-baptismal rites for infants are seldom used, except for the Fortieth Day Rite. Some people even question the need for them. Father Alexander Schmemmann, commenting on the subject, chides those who claim that the rites express an antiquated world view and primitive beliefs which are offensive to women. He writes, "One must be not only in error but, above all, small and petty to find offense in these prayers, so full of divine love and concern for man, so full of the only genuine - because truly divine - respect for the human person. And rather than blindly following "this world" in its cheap rebellions-in the name of empty "rights," meaningless "dignity" and futile "happiness"-we ought to recover and make ours again the Church's vision of life..."⁵⁰ Nonetheless, his lengthy explanations seem to indicate that the prayers for the mother are in fact ambiguous, lending themselves to a one-sided, narrow view of female nature and of human sexuality as it is related to conception and childbirth.

I agree with Father Schmemmann that these rites are inherently positive and pastorally valuable. However, in their present form they appear to suggest that menstruation, pregnancy, and childbearing are occasions for sacramental proscriptions and ritual purification. Such perceptions, I believe, are doctrinally and morally untenable. The female nature cannot be defined simply in terms of body. These services are often misunderstood and tend to perpetuate ideas and attitudes which are incongruent to the Gospel and the sensibilities of the modern age.⁵¹ Not only should they be explained correctly, but their prayers should be recast, in order to express

⁵⁰ Alexander Schmemmann, *Of Water and the Spirit* (Crestwood, NY, 1974), p. 138.

⁵¹ For a brief and balanced view on this subject, see *Women and Men in the Church* (Syosset, NY 1980).

more fully the faith of the Church and erase any perceived misconceptions.

The need for a critical review of liturgical texts has already been recognized by the Church. In 1932 the Ecumenical Patriarchate established a committee of hierarchs and scholars to pursue such an endeavor. However, historical circumstances prevented the committee from fulfilling its mission.⁵² Perhaps the time has come to resume the task, build upon the earlier accomplishments and move the process forward.

(b) The Critical Study and Analysis of Ritual Activity and Data

We must be thankful for the several generations of theologians and liturgists of our Church, who have contributed significantly to the study of liturgy through their investigation of a wide range of liturgical issues and concerns. We must also acknowledge with gratitude the work of many Roman Catholic and Protestant liturgical scholars who have contributed to our knowledge and appreciation of the liturgical tradition of the Eastern Church.

The new spirit of cooperation between the Orthodox Churches fostered in part by the collapse of the Communist regimes, gives rise to new hopes and expectations for liturgical renewal and reform. The pastoral imperatives of the past can be more easily transcended now as the Church seeks to respond effectively to the emerging complex needs, challenges and potentialities of the new world order.

The surfacing data from the critical analysis of our ritual activity compels us to think more seriously about the issues, propose options and suggest solutions, and make the necessary decisions which would help sustain the viability and dynamism of our liturgical practice and usage. These issues and concerns range from grammatical corrections to major reforms in liturgical practice.⁵³

⁵² The activities of this committee prompted its secretary, the noted scholar Panayiotis Trembelas, to embark on an important research project which eventually led to the publication of three volumes, each a critical edition of the divine services. The first, *Αἱ Τρεῖς Λειτουργίαι* (Athens, 1935) deals with the Divine Liturgies of Saint John Chrysostom, Saint Basil the Great, and the Presanctified Gifts. The second, *Μικρὸν Εὐχολόγιον*, vol. 1 (Athens 1950) deals with the sacraments of marriage, unction, ordination, and baptism; the third, *Μικρὸν Εὐχολόγιον*, vol. 2 (Athens 1955) deals with the services for the blessing of water (hagiasmos), the consecration of churches, the orthros, and vespers.

⁵³ (1) Let me cite some examples from the received text of the Divine Liturgy which require grammatical and spelling adjustments. In accordance with the manuscript

Among the many difficult and vexing canonical and liturgical problems facing the Church today is the matter of the two calendars and the attend-

tradition and the older printed editions of the Euchologion and Hieratikon, the personal pronoun in the petition, “πάντων ὑμῶν μνησθεὶς Κύριος ὁ Θεός. . .”, which is intoned at the great entrance, is in the second person plural— “May the Lord God remember all of *you* in His Kingdom.” In many of the recent editions, however, the pronoun has been changed to the first person plural— ἡμῶν— “all of *us*.” The response of acclamation at the beginning of the prologue of the anaphora now reads: “Ἐλεον εἰρήνης, θυσίαν αἰνέσεως” However, the earlier reading was “Ἐλεος, εἰρήνη, θυσία αἰνέσεως,” “Mercy, peace, a sacrifice of praise.” The present reading is awkward, incoherent, and difficult to defend. At the elevation of the gifts we intone the phrase, “Τὰ σὰ ἐκ τῶν σῶν σοὶ προσφέρομεν κατὰ πάντα καὶ διὰ πάντα” “We *offer* to you these gifts from your own gifts in all and for all.” However, the phrase originally did not contain the verb form (προσφέρομεν — we offer) but the participle προσφέροντες — offering to you. The original reading is preferred because it lends clarity to what precedes the phrase and especially to what follows it. In addition, some people believe that the words “κατὰ πάντα καὶ διὰ πάντα” are not sufficiently clear in the Greek original to warrant a definitive English translation without further research.

(2) On a different note, let me cite two examples which highlight the need for substantial revisions in the received texts. The Prayer for the blessing of the font at the baptismal rite — “Μέγας σὺ Κύριε” — “You are great, Lord” is a classic example of a beautiful doxological rhetorical prayer. However, it is based on an antiquated world view according to which the universe is arranged in three tiers. In addition, the prayer contains archaic imagery which is incomprehensible to the modern mind (“You have joined together the universe out of four elements...You did crush the heads of the dragons which lurked there (i.e. in the streams of the Jordan)...that every aerial and obscure phantom may withdraw itself from us...). This beautiful prayer, and others like it, are in need of reformulation. The prayer for the bowing of the head before holy communion in the Divine Liturgy of Saint John Chrysostom (“Εὐχαριστοῦμεν σοὶ Βασιλεῦ ἄορατε... We give thanks to You, invisible king...”), presents us with a problem of a different kind. Liturgical research has shown clearly that this prayer is not original to the text of the Eucharist and furthermore that it is unrelated to the meaning and action at hand. It should be replaced with another more appropriate prayer.

(3) Among the many examples for major liturgical reform which one could list, the restoration of the proper order of the divine services of Great and Holy Week in general and the paschal vigil in particular is of paramount importance. Difficult as this task may be, the Church is obliged to press the issue through careful study and prudent pastoral directives. Saint Symeon of Thessalonike (+1429) noted in one of his treatises, that once the Church has clarified and determined the correct liturgical usage, she is obliged to change even those things that have become a practice by default.

ing issue of the date of Pascha.⁵⁴ The first step in overcoming certain ambiguities surrounding the date of Pascha is the adoption of the New Calendar by all the canonical Orthodox Churches. In the process, we would correct, as well, inconsistencies which have been projected upon the typikon and the festal calendar.

The Orthodox Church must settle the issue of the two calendars once and for all by mounting a strong and sustained pastoral effort to inform the faithful. There is no legitimate reason to continue this dichotomy any longer. We must begin, as well, to address the need for reforms and adjustments in the "paschalia" according to the spirit of Nicea's direct and simple formula.⁵⁵

(c) Encouraging the Active Participation of People in Worship

The need for worship is innate. Human beings, whether consciously or unconsciously, crave for authentic worship. Therefore, each parish is responsible to provide suitable and effective liturgical experiences capable of inducing the inner and exterior involvement of the people.

The forms of worship—gestures and sounds—operate best when they stir the mind and heart of the people and actively engage them in the liturgical action. Worship becomes most attractive when it is performed with faith and is characterized by simplicity, beauty, clarity, directness, solemn-

⁵⁴ Up to 1924 all Orthodox churches used the Julian (old) calendar, which is at present thirteen days behind the Gregorian (new) calendar. The new calendar was introduced in 1582 by Pope Gregory XIII. It replaced the Julian calendar, devised in 46 B.C. by the emperor Julius Caesar. By the end of the eighteenth century, the new calendar was adopted by all of western Christendom. Ironically, the need for calendar reform was first recognized and proposed in the east in the fourteenth century. However, no changes were made in the Orthodox churches until 1924, when the Ecumenical Patriarchate formally adopted the Gregorian calendar. Shortly thereafter, it was also adopted by the churches of Alexandria, Antioch, Greece, Romania, Cyprus, and Poland. The church of Bulgaria adopted it in 1968. The churches of Jerusalem, Russia, and Serbia and the monasteries of Mt. Athos continue to use the Julian (old) calendar.

However, to preserve a common celebration of pascha by all Orthodox churches, the paschal cycle of the Julian calendar was superimposed upon the Gregorian. To translate this adjustment in terms of the new calendar, the five week period within which pascha could occur now became April 4 through May 8, corresponding to the Julian dates of March 22 - April 25, which are thirteen days behind. Thus, all Orthodox churches celebrate pascha on the same Sunday, although technically not on the same date.

⁵⁵ For a discussion on the date of Pascha and the "paschalia," see *Συνοδικόν*, IV, (Chambesy, 1980). See also, A. Calivas, "The Date of Pascha: The Need to Continue the Debate" in *The Greek Orthodox Theological Review*, 35. (1990) pp. 333 - 43.

nity and joyful dignity. We are obliged, therefore, to pay special attention to the fundamental elements (space, action, speech, and song) which constitute the liturgical experience.

Many factors contribute to the creation of a healthy liturgical environment and meaningful experience. An inspired priestly celebration and a coherent and persuasive homily are basic factors. The reading of Scripture lessons and other liturgical texts with care and conviction is another. The graceful and dignified performance of liturgical actions is also important. The prayerful attentiveness of the congregation and its ability to respond gracefully with voice and bodily posture is another. The quality of liturgical singing is fundamental.

People love to sing. Songs fill our lives.⁵⁶ They intensify speech, heighten action and evoke memories. Because singing is so central to the liturgical tradition of the Orthodox Church, we are obliged to pay special attention to the quality of our liturgical music and singing. Therefore, we have an obligation to both train and secure the services of qualified and competent chanters and music directors. More importantly, we must recognize the need and find as well the ways to return to the assembled worshippers their ministry of song.⁵⁷

True worship is an act which involves the whole Body of Christ. Worship is a λειτουργία, a work of the whole people of God, clergy and laity alike. The whole Church celebrates the divine services and mysteries. No one is a mere spectator. The revival of the roles and the redefinition of the functions of historically grounded and useful institutions (such as the male and female diaconate and the so-called minor orders) will help increase our appreciation of the communal nature of public worship and our awareness of the varied gifts and talents of the members of the faith community.

Conclusion

Liturgical forms, structures and patterns, like old habits and favored articles of clothing, are not easily discarded or abandoned. They grow on us and become part of our life experiences. Therefore, I am aware that simply talking about liturgical changes and innovations is sufficient to cause feelings of distress in some people and arouse the deep displeasure of others.

However, the liturgical tradition we so honor, respect and love was never fixed. The structures, patterns and forms of our worship have been evolving gradually throughout the centuries. Some changes have even been

⁵⁶ Gilbert Ost diek, *Catechesis for Liturgy* (Washington, DC, 1986) pp. 167 - 79.

⁵⁷ G. Ost diek, *Catechesis for Liturgy*, p. 178.

planned and decreed.⁵⁸

Some liturgical structures and forms belong to the very essence of liturgy, while others are instrumental and functional. Part of the function of liturgical research is to help us distinguish between the two. Since true worship is dynamic, the instrumental structures and forms are always subject to adjustment and change.

Sadly, however, the distinctions between the essential and functional forms are not always clear to everyone. We are all painfully aware of the two major schisms sustained by the Orthodox Church in recent centuries over liturgical reforms, involving chiefly functional structures and forms - the Old Believers in Russia and the Old Calendarists in Greece.⁵⁹

A spiritually alive Church is obliged to immerse herself in the complex issues of liturgical renewal and reform and to engage the process actively and systematically. The quest for the inner meanings of worship, the critical analysis of the received tradition, and the search for new forms and for fresh approaches to liturgical involvement are not irreverent, radical endeavors. They are, rather, signs of a community committed to the faith and to the incarnation of the authentic living tradition of the Church in the circumstances and realities of the present age.

Worship moves in two directions, the vertical and the horizontal. It unites

⁵⁸ *The Typikon of the Great Church of Christ* — *Τυπικὸν τῆς τοῦ Χριστοῦ Μεγάλης Ἐκκλησίας*, published in 1888, is a case in point. Authorized by the Ecumenical Patriarchate, it was prepared by George Violakis working in concert with two successive patriarchal committees. Like its predecessor, (also sanctioned by the patriarchate), *The Ecclesiastical Typikon According to the Style of the Great Church of Christ* — *Τυπικὸν Ἐκκλησιαστικὸν κατὰ τὸ ὕφος τῆς τοῦ Χριστοῦ Μεγάλης Ἐκκλησίας*, prepared by the protopsaltis Konstantinos and published in 1838, it sought to adapt the prevailing monastic office to parish usage and to incorporate other changes as well in order to meet the emerging needs of the Church.

⁵⁹ For an excellent and detailed study of the liturgical reforms which took place in Russia under Patriarch Nikon (1652 - 58) and prompted the Old - Believers Schism (1667), see Paul Meyendorff, *Russia, Ritual, and Reform* (Crestwood, NY, 1991).

In 1924 following the lead of the Ecumenical Patriarchate, the church of Greece adopted the new or Gregorian calendar. A number of bishops refused to accept the decision, claiming that the calendar could be changed only by an act of the whole Church. Those rejecting the new calendar formed schismatic communities and continue to exist in many areas of Greece with their own bishops, parishes, and monastic communities. Several of these Greek old calendarist groups found their way to the American continent as well. See Archbishop Chrysostomos, *Ἡ διόρθωσις τοῦ Ἰουλιανοῦ Ἡμερολογίου ἐν τῇ Ἐκκλησίᾳ τῆς Ἑλλάδος* (Athens, 1933). For the perspective of the old calendarists, see Archimandrite Chrysostomos, *The Old Calendar Orthodox Church of Greece* (Etna, CA, 1985).

the members of the faith community to God (vertical) and to one another and the world (horizontal). By strengthening the horizontal dimensions of worship we advance the vertical. As the experience of the vertical dimension deepens, the sense of community grows and faith is strengthened. Then, passionate prayer becomes contagious. Obedience to God's commandments and the struggle for holiness become conscious daily activities. And, personal as well as communal responsibility for doing works of justice intensifies.

Through the faithful, conscious remembrance of Jesus Christ, the liturgical assembly moves beyond religious conventionalities. It explores the depths of divine love and is enabled to fill ordinary life with the transforming and sanctifying power of God's justice. Because liturgy contributes greatly to the actualization of the life of faith, the task of renewing it constantly is a fundamental responsibility of the Church. In the words of one churchman, "If we strive to make worship attractive as well as reverent, joyful as well as devotional, relevant as well as anchored in Scripture and Tradition, then God will use it to draw many to him."

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The Possibility of Married Bishops Today

PROFESSOR PANAGIOTIS BOUMIS

Our Orthodox Church, as is well known from its canonical tradition, governs, regulates, and settles the various issues and problems which arise from within its household in two ways: 1) in accordance to the precise, literal interpretation of the canons, and 2) in accordance to ecclesiastical economy. This is clearly emphasized by, among other canonists, the two great representatives of the Orthodox canonical tradition and order. The first representative, Patriarch Dositheos of Jerusalem states: "Ecclesiastical matters are viewed according to two ways: according to exactness (*akriveia*) and according to economy."¹ The second, Saint Nikodemos the Hagiorite, notes that: "Two types of government and correction are preserved in the church of Christ. The one type is called *akriveia* (exactness or preciseness) and the other *oikonomia* and *synkatavasis* (economy and condescension)."²

Akriveia is the faithful and exact observance of authentic ecclesiastical tradition, that is, Holy Scripture and the decisions of the ecumenical synods (dogmatic statements and canons).

Oikonomia is the temporary (whether for a shorter or longer period of time) and appropriate, from a Christian disposition of love, deviation from the exactness of the canons for the salvation of all those found within or outside the Church, without transforming its dogmatic statements.

Perhaps special amplification is not needed to explain that both of these measures have the same ultimate purpose: to benefit and bring salvation to the members of the Church.

¹ Cf. K. Delikanes, *Πατριαρχικά έγγραφα*, vol. 3 (Constantinople, 1905)3, p. 648.

² Hieromonk Agapios and Monk Nikodemos, *Πηδάλιον, ἥτοι ἅπαντες οἱ ἱεροὶ καὶ θεῖοι κανόνες* (Athens, 1957) p. 53 note; *The Rudder*, trans. D. Cummings (Chicago, 1957) p. 70.

These two recognized and canonical ways and measures have been used from their inception and continue to be used today by the Church to respond to the topics of special interest for us: the marriage of the clergy in general, and whether or not marriage is permitted for Bishops.

On the issues of whether a Bishop should be permitted to marry and whether a clergyman who is married can become a bishop without obtaining a divorce, the *akriveia* of our Church is included and offered in 1 Tim 3.2: "Now a bishop must be above reproach, the husband of one wife, temperate, sensible..." (Cf. also Titus 1.5-7).

For a better understanding and interpretation of this scriptural passage, as canonists, we have recourse to related canons of the Church, and must first of all refer to the fifth Apostolic canon which commands: "No bishop, presbyter, or deacon shall put away his own wife under pretext of piety. If, however, he puts her away, let him be excommunicated; and if he persists in so doing; let him be deposed from office."³

The seventeenth Apostolic canon defines that: "Whoever has entered into two marriages after baptism ... cannot be a bishop, or a presbyter, or a deacon, or anything else in the sacerdotal life."⁴ On the basis, therefore, of these canons, we conclude that the bishop is able to have a wife, or, that he should, or he *can*, be the husband of one wife. He cannot, however, be a bishop if he married twice after baptism. The same is presupposed, implied and indicated in the 40th and 41st Apostolic canons. The important fact here is that all these canons have been validated by the Quinisext Ecumenical Synod and that they have received ecumenical, i.e., universal ecclesiastical validity.

This means that the *akriveia* of the Apostolic canons is the rigid ecclesiastical position and standard, especially in the case of the Apostolic canons⁵ dealing with the issue of married bishops.

Perhaps one may object and maintain that this is not a correct position. If one would want to strengthen this position, one could also consider the fact that we have, in addition to these canons, the 49th canon of the Quinisext Ecumenical Synod. The 12th canon of that council, which annuls all of the above for the reason that these canons are subsequent to the Apostolic canons and laws.

It must be noted, however, that this argument stating that the 12th canon of the Quinesext was instituted subsequent to the Apostolic canons, and therefore is more valid, does not stand. The Quinisext Synod itself recog-

³ *The Rudder*, p. 7.

⁴ *The Rudder*, p. 28.

⁵ Cf. also canon 13 of the Quinisext Ecumenical Synod, which speaks of a canon of "apostolic *akriveia*," as well as canon 30, which refers to "apostolic canon" 5.

nized, adopted and validated the aforementioned Apostolic canons.

Also, we must note that the Fathers of the Quinesext Ecumenical Synod in the 12th canon state clearly (*expressis verbis*) that by instituting this canon, they do not invalidate the legislation of the holy Apostles. Furthermore, with these definitions they do not want to overturn⁶ the apostolic injunctions: "We assert this, however, not with any intention of setting aside or overthrowing any legislation laid down by the Apostles, but by having due regard for the salvation and safety of the people and for their betterment, and with regard to avoiding any likelihood of causing blame to the priestly polity."⁷ The *Rudder* interprets the reason for this as follows: "This canon was decreed, not with a view to overthrowing and setting aside so much the canon of the Apostles ... but to provide salvation, and for the advancement of Christians to a state of greater perfection and to prevent their causing any accusation against the hierarchy."⁸

Therefore, this is not a canon of an ecumenical synod which invalidates or overturns the Apostolic canons. This is because the Apostolic canons were actually confirmed by the Quinisext Ecumenical Synod and were universally adopted. If they had been overturned by this canon, the Quinisext itself could be accused of being self-contradictory, and therefore not infallible. Furthermore, this self-contradiction could set in doubt the possibility of enlightenment and guidance by the Holy Spirit, Who does not allow canons to contradict each other. The fathers of the Quinisext Ecumenical Synod, therefore, did not want to overturn the Apostolic legislation and to replace one authority with another authority and legislation. They did not want to replace one rigorous interpretation of the law with another rigorous law.

Therefore, we do not have a canon issued in accordance with *akriveia* "in force" (to be enforced) eternally and beyond time. However, we have "in force" the other standard of ecclesiastical consideration and measure of governing things: the standard and form of ecclesiastical economy. This standard of granting economy has been supported through numerous argu-

⁶This type of procedure can be conceived only in secular legal systems. Perhaps for this reason in the year 531, Emperor Justinian I issued a law which includes the following: "We decree that no one be ordained a bishop, unless he is virtuous and good (kind) and that he does not live with a wife and is not a father of children, but instead of a wife he preserves the Most Holy Church, and instead of children, he has all the Christian Orthodox people." *Corpus Juris Civilis*, vol. 2, 1, 3, 47/48, "De Episcopis et Clericis," Paul Krueger (Beroline, 1929) pp. 303-4.

⁷*The Rudder*, p. 302.

⁸*The Rudder*, pp. 303-4.

ments in another study.⁹

The fact is that an ecumenical synod is able to provide economy more than a local synod or a bishop is able to provide economy. It is without a doubt the latter who have recourse to the higher synodical forum, and ultimately to an ecumenical synod.¹⁰ Since an ecumenical synod is able to issue a canon of economy, or a canon that seeks to guide the activities of the Church in accordance with economy, there should therefore be no doubt.¹¹

When economy is provided or issued by an ecumenical synod, it does not mean that it established *akriveia*. Certainly the issuance of economy is a decision, the adoption of a canon, the definition of a specific type of canon issued by an ecumenical synod, that binds and compels local synods and in succession lower ecclesiastical authorities to submit to it. Otherwise, if the contrary occurs and they do not submit, we have disorder and disobedience. The Scripture commands: "Obey your leaders and submit to them; for they are keeping watch over your souls, as men who will have to give an account" (Heb 13.17). Furthermore, such disorder and disobedience disrupts the unity of the Church with the danger of creating schisms.

This canon, therefore, is not the standard form of *akriveia*. Nevertheless, it is a canon. And though this may not be the straight line which has validity and can be enforced forever, nevertheless, it is a line, even though it may be curved. Although the 12th canon of the Quinisext does not say "now and forever" or "from now and to the ages of ages," it certainly says "from now on" regardless of not determining when its validity terminates. That is, it includes a definite period of time, or better yet, one space-time interval.

In any event, the fact that this canon is not a canon of *akriveia* but a canon of economy, is linked to the conviction, sense and meaning of temporariness¹² (regardless of how long it will last), as well as to the closely

⁹ P. Boumis, *Τό ἔγγαμον τῶν ἐπισκόπων. Συμφωνία Ἀγ. Γραφῆς καὶ ἱ. κανόνων* (Athens, 1981), p. 7 f. (P. Boumis, "Married Bishops - Agreement between Sacred Scripture and Holy Canons," trans. George C. Papademetriou, *The Greek Orthodox Theological Review* 29,1 (1984) pp. 81-93.)

¹⁰ Cf. P. Boumis, *Κανονικόν δίκαιον* (Athens, 1990), p. 59.

¹¹ Cf. Archim. Hieronymos Kotsones, *Προβλήματα τῆς ἐκκλησιαστικῆς οἰκονομίας* (Athens, 1957) p. 130. "Only in one instance can an ecumenical synod issue canons that anticipate the Church's acts 'in accordance with economy.'"

¹² The element of the provisional and temporal is indicative of ecclesiastical economy.

related meaning of locality.¹³ Consequently, it is possible that at some time the period of economy and deviation from *akriveia* may expire. It is at that time that the entire Church or at the very least, certain local churches will have to return to apostolic *akriveia*.

The question, therefore, is when and where will this time come? When and where shall we know the season which will compel us to return to *akriveia*? In order to give an answer to this question, we must investigate the reasons compelling the issuance of this canon to see if they are still present. To help answer this burning question, at least in its first phase, it is prudent to take refuge first and foremost in the very same 12th canon of the Quinisext Ecumenical Synod. This will permit us to see if it refers to the causes which compelled the Quinisext to deviate from *akriveia* and turn towards economy.

In fact, the fathers of the Quinisext Ecumenical Synod inform us that the bishops of different countries "as in Africa and Libya and other places" continued to cohabit with their wives even after their ordination to the office of bishop, their example causing obstacles and scandals to the people. The canon states that the cohabiting bishops are "thus becoming an object of offense and a scandal to others (to the people.)"

This confirmation, in order to be better appreciated, should be combined with the observations made by the Byzantine canonists, Zonaras and Balsamon: "Preaching having been recently expanded, the faithful having reached a higher state and order, and evangelical fervor having taken hold, it is said that hierarchs ought to lead their personal life in accordance with moderation."¹⁴ Saint Nikodemos the Hagiorite upholds this reasoning in the following statement: "The present Synod, seeing that the Church was advancing by strides and that the lifestyle of Christians was flourishing in Theodore the Studite says that "according to time and word" economy is applied. (*Epistle 24*, PG 99.984B).

¹³ Here we should take into consideration the reason that the meaning of time is conventional. Cf. also the passage in 2 Peter 3.8: "But do not ignore this one fact, beloved, that with the Lord one day is as a thousand years, and a thousand years as one day." Cf. also Ps. 90.4. In addition, we can say that "according to the season" does not mean only a period of short time, as "for a season," but that it also means for a longer period of time. Also on this, Theodore the Studite confirms when he invokes Eulogios, Archbishop of Alexandria, and says, "Some economies took place for a time by the Fathers, others have perpetuity." *Epistle 59*, PG 99 1085D Cf. Kotsones, *Προβλήματα*, p. 147ff., and P. Boumis, *Τό κύρος καί ἡ ἰσχὺς τῶν ἑ κανόνων*, 4th ed. (Athens, 1989) p. 20.

¹⁴ G. Ralles and M. Potles, *Σύνταγμα τῶν θείων καί ἱερῶν κανόνων* (Athens, 1852) 2, pp. 331-32.

virtue, regulated matters so that the lifestyle of the hierarchs might also flourish with celibacy and moderation.”¹⁵

Therefore, if we want to give the correct answer to the questions, when and where, or, whether today, and in which countries we should return to apostolic legislation and exactness, examination should precede decision. This should be done jointly with the prevailing Christian social views. The examination should consider whether the cohabitation of bishops with their wives might become an obstacle and a rock of offense to the faithful, or whether the reason that provoked the decree of the 12th canon any longer exists.

Let us consider the following:

a) If this cohabitation continues to create scandal among Christians, then the standard of economy should not be suspended.

b) If the cohabitation of bishops with their wives does not create scandal, but leaves Christians indifferent, then a change can take place, depending of course upon the temptations that the clergy face, as well as upon the spiritual condition of the clergy themselves. At any rate, the fact is that in this circumstance one may say that this is not urgent.

c) If, on the contrary, the non-cohabitation of the bishop with his legal wife causes scandal to Christians of today, then we are obligated to make corrections. Maybe it is time that this issue be placed on the agenda to be examined and we return to the apostolic legislation.

More precisely, we are obliged to ask ourselves: Perhaps after much study, that is, after much meditation, concern, prudence, and discernment, (which is, of course, presupposed in our church leaders), can this issue actually be confronted? This “study” is necessary so as “to do anything possible for the benefit of the flocks under hand,” as dictated by the 12th canon. Perhaps the hierarchs, “having due regard for the salvation and safety of peoples and for their better advancement with a view to avoiding any likelihood of giving anyone cause to blame the priestly polity” (*The Rudder*, p. 303), should undertake this examination in due time and at the opportune moment, as the canon states.

Another concrete question: By what means will this change be realized? are the reasons confirmed that support the return to the “apostolic legislation,” which is the evangelical and canonical *akribeia*?

¹⁵ *Πηδάλιον*, p. 228, note. The author of *The Rudder* says that the celibacy of bishops was imposed—decreed, due to the fact that “those ierarchs having wife and children, bequeathed the episcopate to their children at their death as a legacy, and many of the things belonging to the Church would be plundered wrongfully,” *The Rudder*, p. 304, n. 2. *Πηδάλιον*, p. 228, note 2.

The answer is obvious and simple: Synodically, as our Church's polity requires, and progressively. Here only, we should add the following according to our opinion:

1. If it is possible without the convocation of an ecumenical synod¹⁶ to return from economy to apostolic *akribeia*, much more so it is possible to abandon economy and return to *akribeia*.

2. Certainly for reasons of order and unity among the Orthodox Churches, it is preferable for them to communicate among themselves and to reach an agreement before any action is taken. This is especially so in this case, because the 12th canon is not a simple act of economy, issued once by a local church, but was decreed by an ecumenical synod.

3. The implementation of the apostolic and canonical *akriveia* can take place initially in what we today call missionary lands, where it would be difficult for the natives to follow the celibate life. For the priority of applying the apostolic legislation in missionary lands, we are able to base ourselves on the opinion of Zonaras, Balsamon, and *The Rudder*.¹⁷

4. It follows that this practice could be applied in the event, for example, that there were large bodies of Protestants and Anglicans, together with their leaders, wishing to join the Orthodox Church.¹⁸

5. Finally, as for the Orthodox world, as long as great need due to particular circumstances of the day is confirmed, and provided that the reasons that led the Quinisext Ecumenical Synod to the decision of compulsory celibacy are no longer present, then it is possible to introduce the ordination of bishops from the ranks of the married clergy.

6. It is, however, imperative that the opinion of the pious πλήρωμα (full membership) of the Church be taken into consideration, as was done when the 12th canon was decreed by the Quinisext Ecumenical Synod.

Translated by George C. Papademetriou

¹⁶ Many hierarchs and theologians up to now considered necessary the convocation of an ecumenical synod, evidently because they did not consider, or because they were not consciously aware, that the 12th canon was issued in accordance with economy, either as a canon, or as a form granting economy.

¹⁷ See Ralles and Potles, 2, pp. 331-2 and *Πηδάλιον*, p. 228, note (*The Rudder*, p. 304, note).

¹⁸ Cf. also the fact that "Protestant clergy, who entered Roman Catholicism, were allowed to maintain their families." Jean Daniélou in the periodical *Ενορία*, 17 (1962) 115. This is especially true of the Anglican priests who entered the Roman Catholic Church in America; they were allowed to keep their wives. See *Ἡ Καθημερινή* (October 7, 1980).

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